AGRARIAN PROBLEMS OF PERMANENT SETTLEMENT

A CASE STUDY OF CHAMPARAN

GIRISH MISHRA

Most of the studies on agrarian history of India deal mainly with the policies that led to particular tenurial arrangements and not with the impact of these arrangements on the agricultural economy. This is very true of the permanent settlement.

The present work is an attempt to fill this gap. It studies the operation of the permanent settlement from its inception to its abolition. It is based mainly on the primary sources, though secondary works and private papers and personal interviews have also been utilised.

It examines the zamindars vis-a-vis the permanent settlement, the origin and proliferation of intermediary tenures, commercialisation of agriculture, the impact of the permanent settlement on the raiyat affecting his capacity and incentive to increase production, the socio-economic structure of rural Champaran and the socio-economic causes of agrarian agitations from time to time.

The present work throws new light on Gandhiji's Champaran satyagraha and brings out many hitherto unknown facts.

One can also find in this work some insight into the problem of non-emergence of Bihari industrial entrepreneurship during the period of the permanent settlement.

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A Case Study of Champaran

by
Girish Mishra



PEOPLE'S PUBLISHING HOUSE
New Delhi

January 1978 (P 126)

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Price: Rs. 45.00

Printed by Jiten Sen from New Age Printing Press, Rani Jhansi Road, New Delhi 55, and published by him for People's Publishing House Pvt. Ltd., Rani Jhansi Road, New Delhi 55.

Dedicated
to the memory of my brother
the late Shri Ashok Mishra

PREFACE

The agrarian history of India has aroused the interest of several scholars and their studies have undoubtedly contributed a lot to our understanding of the evolution of the agrarian systems of modern India. However, most of these studies deal mainly with the policies that led to particular tenurial arrangements and not with their impact on the agricultural economy. This is very true of the permanent settlement. There is no comprehensive study of the operation of the permanent settlement from its inception to its abolition.

The present work is an attempt to contribute towards filling up this gap. It is needless to add that on the basis of intensive studies of specific areas alone one can understand the agrarian history of this country during the past two centuries in any meaningful way. However, a comprehensive study of the working of the permanent settlement is beset with almost unsurmountable difficulties because of the lack of authentic time series data and sufficient genuine records.

During the period of my studies for the present work I had the benefit of the guidance of Professor Tapan Raychaudhuri and Professor P. C. Joshi. I am immensely grateful to them.

I am thankful to Professor Dharma Kumar who very kindly went through the earlier drafts of this work. Many of the improvements made in the substance and presentation are very largely due to her valuable suggestions and comments.

My thanks are due to Prof. A. L. Nagar, Dr. K. K. Datta, Prof. Amlendu Guha, Dr. Om Prakash, Dr. K. N. Kabra, Prof. Sunil Sen, Dr. Kartar Singh, Shri Jitendra Sharma, Advocate, Supreme Court, Shri Arjun Dev, Reader in History, NCERT, Shri Sunil Sengupta of the Agro-economic Research Centre, Vishwabharati University, Dr. Braj Kumar Pandey, Shri Ganesh Shankar Kharga and Dr. Nirmala Mishra for their help at various

stages in the preparation of this study. My two sons—Sanjay and Anurag—also helped me a lot during the preparation of index.

The authorities and staff of the National Archives of India, Central Secretariat Library, Bihar State Central Records Room, Board of Revenue Library, Patna, Motihari Collectorate Records Room and Bettiah Raj Records Room rendered me much help during the course of my studies. I am obliged to them.

The late Master Harbans Sahay, Shri Ram Dayal Prasad Shah and my father, Shri Bibhuti Mishra who participated and led agrarian agitations in Champaran from the second decade of the present century onwards, granted interviews to me and threw valuable light on the course the agitations took. Shri P. C. Joshi, former general secretary of the CPI, told me of his experiences of the bakasht movement. I am extremely grateful to them.

I am thankful to Shri Mohit Sen, Shri M. B. Rao, and the editorial department of the People's Publishing House for their help in the publication. My thanks are also due to Shri T. M. Chakravarty and Shri Sheo Prasad for typing.

12 December 1977 Girish Mishra

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Bihar Surveys, Patna - 7. Job no. 170 - Copies 5000. Jan - 63.

Chapter One

INTRODUCTION

Permanent settlement was a major land revenue system introduced in 1793 in the then Bengal presidency of which Bihar was a part. It remained in existence in Bihar till 1950 when the Bihar land reforms act came into being.

This book deals with its impact on agrarian conditions in the Champaran district of Bihar. Thus it is a study of the agrarian history of Champaran during the period of the permanent settlement.

Champaran which was known as *Champak-aranya* (the forest of *Champa* or Michelia Champaka) in the ancient times forms the extreme northwestern portion of the Tirhut division and of Bihar. Till 1837 Champaran was a part of Sarkar Saran for all administrative purposes. In 1837 the criminal jurisdiction was separated and placed under a joint magistrate who had his headquarters at Motihari. In 1866 Champaran became a fullfledged district when its revenue jurisdiction was also separated.

At present the area of the district is 22,56,000 acres or 3525 square miles. According to some old records the area was much bigger during the first half of the last century (at the time of the permanent settlement the total area was 22,63,194 acres). The reduction in the area has been mainly due to the changing course of the river Gandak.[1]

Champaran extends along the eastern bank of the river Gandak for 100 miles. It has a breadth of 20 miles at the northern and of 40 miles at the southern end. As Swanzy des-

1. According to a letter from judge of Saran to G. D. Wilkins, joint-magistrate of Champaran (letter no 21, dated 14 February 1842, kept in the old records of Motihari collectorate), the district had an area of 4139 square miles.

cribed: "The general aspect of the greater part of the district is very similar to that of the rest of north Bihar, a flat cultivated expanse diversified by a number of rivers and streams debouching from Nepal. In the south and east the country is almost perfectly level with a very slight declination to the south; and the general character of the scenery is tame and monotonous. Towards the north and northwest the country begins to undulate and the alluvial plain gives place to a broken hilly region known as the Dun or Ramnagar Dun. This consists of a range of low hills, about 20 miles long, north of which the Sumeswar range extends for about 46 miles along the northern frontier. Below these hills extend southwards and eastwards large grassy prairies watered by numerous hill-streams, while in the background tower the Himalayas of Nepal in an imposing arc of eternal snow."[2]

Champaran receives a heavier rainfall than other districts of the Tirhut division. The average annual rainfall comes to 56.18 inches. The monsoon breaks in the district normally in June when there is an average rainfall of 9.17 inches. July-August is the period of heaviest rainfall which varies on an average from 15.66 inches in July to 13.30 in August.

When Champaran came into existence as a separate district, it consisted of two subdivisions—Motihari or Sadar and Bettiah. The Sadar subdivision had been divided into 6 revenue thanas—Motihari, Adapur, Dhaka, Kesaria, Madhuban and Gobindganj; while the Bettiah subdivision had 3—Bettiah, Bagaha and Shikarpur.

Though the district was divided into subdivisions and the latter into revenue thanas, the Mughal revenue divisions, parganas and tappas were not dispensed with. They were also continued to be mentioned in the revenue records; however they were gradually losing their importance.

Champaran comprised three parganas—Majhaua, Mehsi and Semraun, and 33 tappas. Majhaua was the biggest pargana with 28 tappas—Bahas, Balthar, Balua Gondauli, Belwa, Bhabta, Chanaki, Chigwan Batsara, Chigwan Nisf, Daulta, Deoraj,

2. Swanzy, *Bihar and Orissa District Gazetteer*: Champaran, p 1.

Duho-Suho, Gopala, Harnatar, Jafrabad, Jamhauli, Khada, Madhwal, Mando, Manpur, Chaudand, Olaha, Patjirwa, Rajpur Soheria, Ramgir, Sakhawa, Sonawal and Sugaon. Mehsi had Harihara, Haveli Salempur, Hadiabad and Sirauna, while Semraun consisted of only Nonaur.

The study of the impact of the permanent settlement in Champaran is facilitated by the following circumstances: (a) It had a relatively simple pattern of property distribution. Three big zamindars held about three-fourths of the total area of the district and it is easy to study the ups and downs of their fortunes. Other zamindaris were insignificant in size and rental as compared with the three big ones, (b) The layers of the secondary tenures were not numerous in Champaran. Between a zamindar and an occupancy tenant, there was either a thikadar or a mukarraridar who, in some cases, sublet his zamindari rights to a katkinadar. Thus between a zamindar and an occupancy raiyat there was only one or in some cases two intermediary tenureholders.[3]

The other features peculiar to Champaran included the growth of commercial agriculture which included poppy, indigo and sugarcane—the European-controlled plantation economy, and a long record of agrarian agitations, culminating in Gandhi's satyagraha of 1917-18. The agrarian agitations had causal connections with production-relations resulting from the permanent settlement.

Another special feature of the district was a relatively low density of population and a large area of fallow land in its northern part.

There are certain difficulties in undertaking a study of this kind. The first is the lack of continuous series of data on

3. According to Tapan Ray Chaudhuri, elsewhere in the permanently settled tract, "162 revenue terms were used to describe the various forms of tenures and subtenures. Between the proprietor and the actual cultivator, there might be eight to twenty grades of intermediary tenures" (see, Permanent Settlement in Operation: Bakarganj District, East Bengal", in Frykenberg (ed.), *Land Control and Social Structure in Indian History*, pp 163-74. Also see Government of Bengal, *Report of the Land Revenue Commission, Bengal*, Vol I, p 36.

prices, rents, government revenue as the proportion of the total rental, the cost of management of zamindaris, the number of different categories of tenants, the alienation of land, rural indebtedness and the sources of borrowing, the area under cultivation, the cropping pattern, yields of different crops and the productivity of land in the district.[4] This lack is due to the fact that in the permanently-settled areas the government did not have any regular and permanent agency like patwari to collect data and maintain records and statistics. Nor did the government conduct survey-settlement operations at regular intervals. There was no provision to make the zamindars submit the relevant records and statistics regularly to the government. Even after the abolition of the zamindari, whatever records the government has received are inadequate, faulty and still unverified and unsystematised.

Almost the entire management of the three big zamindaris which covered three-fourths of the district was in the hands of intermediary tenureholders for most of the period under the permanent settlement. Tenureholders never cared to maintain the zamindari papers and other revenue records and, even if they did maintain them, they never supplied them to the government or the zamindar concerned. Hence very little is known of the parts of the zamindaris under the management of the tenureholders.

Another difficulty in studying the working of the permanent settlement is that no district can be taken as 'typical' or as most representative in the sense of conforming to some abstract model comprising all the characteristics. Even in Bihar, the districts of the Bhagalpur division differed in certain respects from those of the Tirhut division. In the former there was patni system under which the intermediary tenureholders were recognised and were permanent, but this system was nowhere found in

4. Up to 1893-94, in *Agricultural Statistics of India*, the returns for Bihar were incomplete and in *Estimates of Area and Yield of the Principal Crops in India*, issued annually from 1891-92, the zamindari areas were not covered. See also Blyn, *Agricultural Trends in India*, 1891-1947: *Output, Availability and Productivity*, pp 40-43.

Tirhut or other parts of Bihar. In some districts, chakran and ghatwali tenures existed in a large number but they were completely absent or insignificant in other districts. In the districts of Santhal Pargana and of the Chotanagpur division tribal customs and rights were also given place when the permanent settlement was introduced and later when the Bengal tenancy act of 1885 came into being, special provisions were made regarding them.

Chapter Two

THE ZAMINDARS OF CHAMPARAN

When the East India Company received the diwani for Bengal, Bihar and Orissa, it had no prior knowledge of the revenue affairs whatsoever. What it understood was the importance of land revenue as a source of government finance. Its aim was to evolve a system which would ensure a steady flow of revenue without adversely affecting agricultural productivity.

Between 1765 and 1786 the company experimented with a number of arrangements, all of which caused greater confusion than before and they turned out to be wholly unsatisfactory. The objective of reducing the cost of collection and punctual realisation of revenue could not be achieved nor could reliable estimates of land revenue potential be obtained.[1]

In fact, what the British were trying to do was to find answers to the following questions: with whom should the land revenue settlement be made and what should be the terms and conditions of the settlement relating to the duration and the amount of assessment?

On his arrival in India as governor-general Lord Cornwallis found that agriculture and trade were in a very bad shape. Both the zamindars and raiyats were suffering from poverty and misery and the only section of the society flourishing was the moneylending community. The prime cause for this was the existing state of revenue affairs and he thought that the way

1. For details, see Firminger, (edited), *The Fifth Report from the Select Committee of the House of Commons on the Affairs of the East India Company, 1812,* Vol I, (Hereinafter referred to as *Fifth Report*); Ascoli, *Early Revenue History of Bengal and the Fifth Report, 1812,* Baden-Powell, *The Land Systems of British India,* Vol I; and Government of Bengal, *Report of the Land Revenue Commission, Bengal,* Vol I, 1940.

out was the permanent settlement of land revenue with zamindars.

The model which Cornwallis had in mind was in brief as follows: The permanent settlement with zamindars would make them staunch allies of the company rule and create an atmosphere of peace and stability in the rural areas, which would have a favourable impact on the agrarian economy. The permanent limitation of the government land revenue demand would be an incentive to zamindars to clear forests and extend the area under cultivation, besides bringing in a good deal of certainty and order in land revenue affairs. The permanent settlement would ensure the punctual and regular payment of government revenue demand and at the same time the government would be relieved of the burden of maintaining an elaborate arrangement for the collection of rent and management of revenue affairs.

The zamindars would benefit because their income would increase. This increase would be brought about by: (a) permanent limitation of the government revenue demand, and (b) the increased raiyati rental because of the extension of area under cultivation, and the enhanced rate of rent in the future for the new settlements with raiyats. Unlike the farmers of revenue the zamindars would have a permanent interest in their zamindaris and would spend a part of their increased income on providing material encouragement and facilities to the tenants to extend the area under cultivation and raise agricultural productivity which would, in turn, push up the rate of rent for the new settlements.

So far as the tenants were concerned their existing customary rights and privileges were to be fully protected. This was to be done through the grant of pattas by zamindars. A patta was a written document containing all the details about the landholding of the tenant. The tenant receiving the patta was entitled to fixity of rent and was not liable to eviction at the discretion of the zamindar. Besides, he was to be free as regards production-decisions. Thus the framers of the permanent settlement wanted to ensure through the patta regulations that the

benefits of increased production went to the tenants. As a result the tenants would take interest in increasing agricultural production by undertaking investment activities. Since the zamindar's rental demand on the tenant was sought to be limited and the levying of abwabs was banned, the standard of living of the tenant was expected to rise.

In brief, this was the framework of thinking underlying the decision to introduce permanent settlement. To begin with a decennial settlement was made with the zamindars in 1789 with a view to making it permanent. In 1793 the settlement was declared permanent.

The zamindars with whom the settlement was made were vested with proprietory rights in land, which were sought to be limited by the patta regulations. The aim of these regulations was to keep the tenants in undisturbed possession of their holdings so long as they paid their rents.

The government revenue demand was generally fixed at ten-elevenths of the existing rental (jama plus existing abwabs) and it was limited at that figure for all time to come. At the same time the zamindars were required to pay the government revenue demand with unfailing punctuality.

Cornwallis thought the working of the system would lead to the exit of the bad zamindars because they would fail to pay the government revenue demand in time and in the long run only the efficient and good ones would remain. That is why he asserted: "It is immaterial to government what individual possesses the land, provided he cultivates it, protects the raiyats and pays the public revenue."

With these general observations, let us turn our attention to Champaran. Out of the total area of 22,63,194 acres an area covering 22,61,732 acres representing more than 99.9 per cent was permanently settled. As elsewhere in Bengal and Bihar the permanent settlement in Champaran was concluded after other arrangements had failed.

In 1765 when the East India Company took over the diwani from the Mughal emperor Shah Alam, Champaran was largely

under the Bettiah raj except for a small portion which was under the Ramnagar raj. On account of troubles from the raja of Bettiah during 1766 and 1771, the raj was split into two and the smaller part was entrusted to a member of the raj family. Subsequently this split brought the Madhuban raj into existence.

Champaran suffered severely during the famine of 1770 and almost half of its population perished. The zamindars had been pushed aside and the "ignorant and rapacious revenue contractors"[2] had taken their place and their exactions and oppressions were the main factor responsible for the famine and the desertion of the district by the majority of those who survived it. The revenue contractors having no permanent stake in the district, used to extract as much rent as possible from the tenants. The result was that the tenants did not have anything to fall back upon when there was a crop failure.[3]

In 1772 the contractors were dispensed with and the whole of the district was divided into 15 small parts and settled for five years. The quinquennial settlement was concluded mainly with local people among whom the zamindars were predominant.

The decennial settlement was concluded in 1791 with 6 parties for a total revenue of Rs 3,51,427-4-9. In March 1793 the decennial settlement was declared to be permanent. The declaration stated: "The governor-general-in-council accordingly declares to the zamindars... that at the expiration of the term of the settlement, no alteration will be made in the assessment which they have respectively engaged to pay, but that they and their heirs and lawful successors will be allowed to hold their estates at such assessment for ever."[4]

Table 2.1 shows the details of the settlement made with six parties in Champaran.

2. Hamilton, *The East India Gazeteer,* Vol I, pp 506-7.

3. Stevenson-Moore, *Final Report on the Survey and Settlement Operations in the Champaran District* (1892-99) (now onwards referred to as *Final Report on Champaran*), pp 20-28.

4. *The Fifth Report,* Vol I, pp 35-36.

Table No 2.1

DECENNIAL SETTLEMENT IN CHAMPARAN

Names of the parties with whom the settlement was made	*Area settled*	*Revenue* *Rs—As—P*
1. Bir Keshwar Singh (Bettiah raj)	Majhaua and Semraun parganas	2,62,050-2-9
2. Abdhut Singh (Madhuban raj)	Duho Suho tappa	2,000-0-0
3. Sri Krishna Singh and Abdhut Singh (zamindars of Sheohar and Madhuban respectively)	Mehsi pargana	78,524-0-0
4. Har Kumar Dutt Sen (Ramnagar raj)	Ramgir, Jamhauli and Chigwan Batsara tappas	3,641-0-0
5. Abhay Charan Majumdar	Taluka Sangrampur	4,912-2-0
6. Umed Singh and Ram Bal Singh	Mauza Harpur Rai	300-0-0
Total		3,51,427-4-9

Source: Stevenson-Moore, *Final Report on the Survey and Settlement Operations in the Champaran District (1892-99)*, pp 20-23.

Of these six persons all, except for Abhay Charan Majumdar, were local chiefs and had been revenue-collectors since the Mughal days. Bir Keshwar Singh, Abdhut Singh and Sri Krishna Singh belonged originally to the Bettiah raj family. They were bhumihars by caste. The fourth big zamindar Har Kumar Dutt Sen was a rajput having connections with the royal family of Nepal. The fifth zamindar Abhay Charan Majumdar was a Bengali kayastha and official in the revenue department. No trace of him is to be found in the later records but the area settled with him came to form part of the Bettiah zamindari. Umed Singh and Ram Bal Singh were rajputs. Thus all the persons with whom the settlement was made were upper caste hindus.

Champaran at the time of the permanent settlement consisted of 2846 villages. The Bettiah raj had 1719 villages under it while the Ramnagar raj had zamindari rights over 455 villages. The Madhuban raj had an area of 50,000 acres under its zamindari. About three-fourths of the total area of the district was held by these three zamindars—the maharaja of Bettiah, the raja of Ramnagar and the babu sahib of Madhuban.

Among these three the Bettiah raj was the oldest.[5] It was an offshoot of the raj rayasat sarkar Champaran—an ancient impartible raj. The first known raja was Ugra Sen Singh who was a contemporary of emperor Shahjahan. His descendant raja Jugal Kishore Singh rebelled against the East India Company and later fled to Bundelkhand. After his flight the whole of Champaran was confiscated by the company and placed under the management of its officials who farmed out a portion of it and managed the rest through amils. In 1770-71 when this experiment ran into difficulties, Champaran was leased to Sri Krishna Singh and Abdhut Singh—relations of the fugitive raja—but even then the management did not improve. Instead it took a turn for the worse. Ultimately the company had to bring back the fugitive raja, but entrusted him only with the management of Majhaua and Semraun parganas and divided the rest of the territory between Sri Krishna Singh and Abdhut Singh.

In 1816 Anand Kishore Singh succeeded to the Bettiah raj and executed a kabuliyat to abide by the terms of the settlement effected with his father, Bir Keshwar Singh. The documents received by him required him (i) to make over to the government the fines levied by him, the properties of persons dead or absconding, and any unclaimed property irrespective of its size, (ii) to keep the raiyats satisfied, (iii) to make such efforts that might lead to an increase in the revenue of the state, (iv) to bring about improvement in cultivation and work for the prosperity of raiyats, and (v) to construct roads within the territory

5. For an early history of the Bettiah raj see: Wright (edited), *Bengal and Assam: Bihar and Orissa*, pp 515-21; Singh, *History of Tirhut*, pp 206-9; and Basu, *The Consecutive Account of the Bettiah Estate*, pp 1-3.

of the raj. They also restrained him from cutting down and selling trees and orchards, resuming without permission of the government the lands of orchards, tanks, ponds, and brahmottar, lakhiraj villages, etc., making fresh grants of brahmottar and lakhiraj lands, realising excess rents from tenants, and levying abwabs.[6]

The hereditary title of maharaja was conferred on him. On his death his brother Nawal Kishore Singh succeeded him. Both the brothers acquired substantial landed property in Bihar and UP.

Rajendra Kishore Singh inherited the raj from his father Nawal Kishore Singh in 1855. During his time there came an adverse turn in the fortunes of the raj. It incurred heavy debts which later brought about certain changes of great significance not only in its management but in the matter of rights of tenants. These changes and the reasons for incurring debts would be dealt with at a later stage.

Rajendra Kishore Singh was succeeded by his son Harendra Kishore Singh in December 1883. Along with the raj, he inherited a debt of Rs 20 lakh. This debt increased during his own lifetime owing to the heavy interest payable on the old loans contracted by his father, and his own propensity to spend money.

Maharaja Harendra Kishore Singh died issueless on 20 March 1893. His senior widow Sheoratan Kuer succeeded to the raj in June 1893 but died in 1896. The junior widow then assumed charge of the zamindari but she was declared incompetent to manage the estate under section 6(a) of act IX (BC) of 1879. The management of the raj was taken over by the court of wards on 1 April 1897. In 1911 she was declared insane and was thus permanently disqualified to manage the zamindari

6. The letter of the collector of Saran, the patta granted to Anand Kishore Singh and the kabuliyat executed by him on 17 April 1817 give the details of these conditions. See: Bettiah Raj Records (bundle for 1817-18).

affairs. The zamindari since then remained under the court of wards.[7]

The founder of Madhuban raj was Abdhut Singh, a great-grandson of Ugra Sen Singh, the founder of the Bettiah raj. Duho Suho tappa and later the villages of Madhuban and Shampur were settled with him. Earlier the family resided at Madhubani, a few miles away from Motihari. Har Prasad Singh, grandson of Abdhut Singh, removed it to Madhuban. This zamindari had an income of Rs 2 lakh.[8] He also had debts totalling around Rs 3 lakh.

At the time of the decennial settlement, as already stated, the head of the Ramnagar family was Har Kumar Dutta Sen. His was the family of zamindars since the Mughal days and the head of the family had the hereditary title of raja conferred by the Mughal emperor Shah Alam and confirmed later by the British in 1860.

This family managed the zamindari without any internal or external trouble till September 1879 when raja Prahlad Sen died leaving behind two widows and a minor grandson. The question of succession became a bone of contention. The collector assumed charge of the zamindari since the grandson whom he considered as the legal successor was a minor. A legal battle took place and finally the widows of the late raja were declared entitled to succeed in preference to the grandson[9] who was a minor.

Again when raja Mohan Bikram Shah, who had succeeded the widows, died in April 1912, a legal battle was fought between

7. Section 6 of act IX (BC) of 1879 stated: "Proprietors of estates shall be held disqualified to manage their own property when they are (a) females declared by the court incompetent to manage their property;... (c) persons adjudged by a competent civil court to be of unsound mind, and incapable of managing their own affairs..." See: *The Bihar and Orissa Wards' Manual, 1927* [*Act IX (BC) Of 1879*], p 17.

8. See register D combined with register A, Vol I-XVII (kept in the Motihari collectorate).

9. Proceedings of Government of Bihar and Orissa, Home Department (Land Revenue), December 1917, Nos 10-11A.

his widow and his namesake, Panch Mohan Bikram Shah alias Ram Raja, son of Shri Panch Bhupendra Bikram Shah of Banaras, who claimed to have been adopted by the late raja. The widow rani Chhatra Kumari Devi won the battle of succession, but on the basis of reports of mismanagement and bad financial condition the board of revenue in its order of 5 July 1917 declared her incompetent to manage the zamindari under section 6(a) of act IX (BC) of 1879 and directed that the zamindari should be taken over by the court of wards.

Later a compromise was arrived at. The rani agreed to appoint L. O'Reilly, a European indigo planter, as manager vested with powers in accordance with the suggestions of the board of revenue. The zamindari was then released from the control of the court of wards on 4 February 1918.

The late raja had left a total debt of Rs 5,93,976-14-2 and a substantial portion of the zamindari was leased to raise money to clear the debts.[10]

After the death of Chhatra Kumari Devi, Ram Raja succeeded her and remained in possession of the zamindari till late 1940s.

From the above accounts of the three big zamindaris of the Champaran district a few facts emerge. First, none of them were held by any revenue farmer after the permanent settlement. All three were owned by local chiefs traditionally connected with revenue collection and management. Two of them had hereditary titles of raja. Second, these zamindaris continued to be in the possession of the families of the local chiefs with whom the settlements were originally made throughout the period of the permanent settlement. Last, all of them were involved in heavy debts. About this feature more will be said later in this chapter.

Now let us turn our attention to the increase in the number of permanently-settled estates. At the time of the permanent settlement there were only 6 zamindaris or permanently-settled estates. This number went up to 1548 by the time of the aboli-

10. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), February 1918, Nos 35-42 and December 1918, Nos 12-16A.

tion of zamindari. This increase in the number of the permanently settled estates was accounted for by three main reasons.

(1) The *operation of the sunset law* played a major role in augmenting the number of zamindari estates. In the early years of the permanent settlement there were failures on the part of zamindars to pay the government revenue demand in time. It was felt by the government that the zamindars were treated liberally at the time of the permanent settlement as they were given proprietary rights in land and the government revenue demand was fixed for ever. The government in turn had expected that the "revenue should be paid with the unfailing punctuality required to meet the pressing needs of the treasury; and it was held, without question, that if the landlord did not or could not pay, he must be removed at once, by the sale of the whole or a part of the estate, as circumstances could indicate."[11]

Initially the revenue demand had to be paid in monthly instalments and the failure to honour the commitment even for a month made the zamindari liable to sale. At the time of the permanent settlement, when it was said that no further demand would be made upon the zamindar irrespective of the augmentation of his income from the zamindari, it was made quite clear that he was to be allowed no remission or suspension of the government revenue demand on any pretext, be it the failure of the monsoon, inundation or any other calamity. The failure to pay off the government revenue demand on the prescribed date before the sunset would result in the sale of his zamindari.

In the beginning the margin of profit allowed to zamindars under the permanent settlement was generally one-tenth of the government revenue, and after meeting the expenses on collection of rent, maintenance of records, etc., and allowing for the default on the part of tenants many zamindars did not get any net income. Here it must be made clear that the government revenue demand on the zamindars and therefore the margin of profit allowed to them were not uniform. Binay Bhushan Chaudhuri

11. Baden-Powell, op cit, pp 435-36.

rightly speaks of "the admittedly notoriously uneven distribution of the land revenue demand".[12] This was very true of Champaran. It is true that rent accruing from the extension of the area under the raiyats and the future mining activity was left entirely to them. But the contribution to their income by such extension of area was bound to be limited till there was increased demand for land and the rent-rate could rise appreciably as a result of growth in population and rise in prices of foodgrains. Since the exploration of minerals required scientific knowledge and investment which was not available during the last decade of the eighteenth and the early years of the nineteenth centuries, the mining activity also did not immediately result in any appreciable benefit to the zamindars. Further, at the time of the permanent settlement the zamindars were deprived of their police and judiciary powers. Thus they could not coerce recalcitrant tenants to pay the rents in time. The raiyats were never prompt in payment of their rents. In case of crop failures they expected remissions in rent. Besides the abwabs existing at the time of the permanent settlement were merged with the jama and the levying of any further abwabs by zamindars was banned. Abwabs did emerge in contravention of the regulations of the permanent settlement but not immediately after the settlement was concluded. That is why till such time as the area under cultivation increased and/or income from forests, mines, etc., and from levying abwabs increased, zamindars were financially in a tight position. Consequently a number of zamindars lost their estates. Old zamindar families were replaced by new ones.

In Champaran the second largest zamindari, Sheohar raj, was the worst sufferer from the sunset law. Between 1793 and 1800 the area of this raj was reduced to a fourth of its original size because the failure to pay the government revenue in time resulted in the sale of the rest of the zamindari. Here the ques-

12. Binay Bhushan Chaudhuri, "The Land Market in Eastern India, 1793-1940. Part I: The Movement of Land Prices", *The Indian Economic and Social History Review*, Delhi, Vol XII, No 1, p 5.

tion arises why only the Sheohar raj among the big zamindaris of Champaran met this fate.

The margin of income or what was called then profit allowed to the Sheohar raj was around 10 per cent of the government revenue demand, and in Champaran it was the smallest margin allowed to a zamindar. After defraying the cost of collection of rent and the expenses of running the administration, the net income became much smaller. Sometimes no net income was left and a debt had to be contracted. The failure of the zamindar to collect sufficient money from the raiyats to pay off the government revenue brought the zamindari to public sale. Since the Sheohar zamindar like others in Champaran had not granted the pattas to most of the tenants, he could not sue them in a court of law for the realisation of rent nor was it possible for him to find new tenants who could take the place of the old and pay money in advance.

The Sheohar raj was sold in small lots because the authorities believed that only small zamindaris could be efficiently managed. Consequently the number of zamindari estates in Mehsi pargana in which its major portion lay rose to 77. Thus the Sheohar raj lost almost all of its zamindari possessions in Champaran and became confined only to the Muzaffarpur district.

The government records do not throw any light on the character of the buyers but the personal enquiries in the eastern part of the district indicate that they were generally well-to-do peasant-cum-moneylenders. I have enquired from the descendants of the buyers in the present Patahi and the Madhuban police station areas about the occupations of their families when the zamindaris were acquired. However none of the persons interviewed could produce any documentary evidence.

Later, during the 19th and 20th centuries, the number of the permanently-settled estates that were sold either in full or in part on account of the sunset law and indebtedness was very small as compared to other districts of the Patna division. The average number of estates sold per annum from 1866-67 to 1875-76 was only one. The next decade also continued to return

this figure. For the decade 1886-87 to 1895-96 the average number of estates sold per annum came to 4. Between 1899-1900 and 1917-18 only 36 estates were sold, thus the average number of estates sold came to 2 per annum. The government revenue demand for these estates was "altogether trivial".[13] In ten years from 1908-9, there were only six sales, representing a revenue demand of Rs 132 only. The revenue of all the estates sold during the first two decades of the present century was only Rs 1183 and the average amount of the government revenue demand per estate was only Rs 32.[14] This clearly shows that the estates coming for sale as a result of the operation of the sunset law were very small ones. Their owners were generally small peasants who were in debt because of the insufficiency of their incomes to meet their consumption needs.[15]

To sum up, no major zamindari was affected by the sunset law after the sale of the Sheohar property and the estates which suffered were so insignificant in size that they did not affect the economic structure of the district.

(2) The *partition of estates* was another factor responsible for increasing the number of the permanently settled estates. However it affected only the smaller estates. The three largest estates (Sheohar having disappeared from the Champaran scene by 1800)—Bettiah, Ramnagar and Madhuban—were not affected at all because they were beyond the reach of the mitakshara law of property. According to the established custom applicable to them, the zamindaris were impartible and the eldest son normally inherited them.

The regulations of the permanent settlement had recognised the principle of partition and prescribed the procedure also (vide articles VIII and IX of the regulation I and regulation XXV of 1793). However in the beginning very few zamindars

13. Sweeney, *Final Report on the Survey and Settlement Operations (Revision) in the District of Champaran (1913-1919)*, p 16.

14. Ibid.

15. Twenty years' statistics, Champaran and connected papers (Motihari collectorate).

took recourse to legal partition. Private partitions went on and zamindars seldom took care to comply with the prescribed procedures, but when it was realised that private partitions could be risky because the nonpayment of government revenue by even one shareholder would make the entire zamindari liable to sale, private partitions came to an end.

For some time the government tried to restrict the partition of estates to reduce the administrative complications arising therefrom. The government had to multiply the staff at the treasury for the collection of revenue and strengthen the collectorate staff for maintenance of revenue records and deal with the increased number of zamindars. All this meant an increase in the administrative expenditure also and since the permanent settlement the government's effort had been to reduce the expenses on revenue administration.

In 1807 regulation VI was passed enacting that an estate of less than Rs 1000 sadar jama should be divided only when the jama of no shareholder fell below Rs 500. This regulation was repealed in 1810 and this led to a spurt in partitions. Since the partition proceedings often took long time the act VIII of 1876 provided for the speedy disposal of the partition petitions. The last law in this connection was the partition act (act V) of 1897, which fixed a limit of Rs 10 below which the government revenue of no estate should fall as a result of partition.[16]

No comprehensive statistics are available to show the effect of partition on the number of estates but whatever information is available shows that between 1866-67 and 1895-96 the average number of partitions was the smallest in Champaran in the Patna division. This was primarily because no big zamindari broke up and the zamindaris which were partitioned were so small that the shareholders could not have got anything substantial if they had pressed for their division. This consideration acted as a deterrant to partition.

16. *Report on the Administration of Bihar and Orissa,* 1911-12, p 58.

Table No 2.2

PARTITION OF ESTATES IN THE DISTRICTS OF PATNA DIVISION
(1866-67 TO 1895-96)

District	*Average number of partitions per annum*			
	1866-67 to 1875-76	*1876-77 to 1885-86*	*1886-87 to 1895-96*	*1866-67 to 1895-96*
Patna	29	150	93	90
Gaya	22	19	40	27
Shahabad	33	35	84	50
Saran	27	25	34	28
Champaran	7	5	7	6
Tirhut (Muzaffarpur and Darbhanga)	134	253	105	204
Division as a whole	36	77	61	58

Source: Stevenson-Moore, op cit, p 43.

(3) Lastly, *the resumption of lakhiraj* (revenue-free) *grants* played an important role in increasing the number of estates. At the time of the permanent settlement, large areas of land were under lakhiraj grants.[17] The authority to scrutinise such grants and to assess them for revenue if found invalid was reserved by the government.

The lakhiraj grants were of two types—badshahi and hukumi. The former were granted by various Mughal emperors directly, and the latter were given by the Mughal officials.

Regulation XXXVII of 1793 dealt with badshahi grants and regulation XIX of the same year with the others. Badshahi grants were recognised as bahali (valid) if the holders could prove that that their sanads were hereditary and were in their

17. Revenue-free grants had multiplied during the period of the decline of the Mughal empire. A large number of grants of revenue-free land were either made by subordinate officials who had no authority to do so, or came to be grabbed on the basis of forged documents. At the time of the permanent settlement the government announced that all the revenue-free grants would be scrutinised. Baden-Powell, op cit, pp 423-25.

continuous possession. Hukumi grants were accepted as valid only if they were dated prior to 1765. However all those which originated between 1765 and 1770 were to be assessed at a privileged rate. By regulation XIX all lakhiraj grants pertaining to the period after 1790 were to be invalidated.[18]

However no practical steps were taken as regards the lakhiraj grants soon after these regulations came into existence. In 1800 an attempt was made to get them registered. It did not succeed and another regulation (regulation II of 1819) was passed to transfer the powers of resumption from the civil to the revenue courts. Regulation III of 1823 supplemented it by providing for the appointment of a special commission under whose guidance the resumption proceedings were undertaken from 1830 to 1850.[19]

In Champaran, according to the register of Hoshiyar Jang, subedar of Bengal, in 1773 there were 228 villages with an estimated rent of Rs 33,794, not assessed for the government revenue. However no details were given.[20]

In 1795 kanungos were deputed to report about the extent of lakhiraj land. After local enquiries they found the area of the lakhiraj land to be 72,746 bighas and 18 kathas. However this report was found to be of no consequence because details, such as the names of villages, tenants, etc., were not furnished. Another register was prepared according to which the total area of revenue-free land was 1,34,211 bighas and 10 kathas. But the information collected from 1822 gave the area of lakhiraj land as 83,811 bighas and 5 kathas.[21]

No reasons or explanations were available for these variations in the estimates except that the agency through which the data were collected was that of kanungos who were generally corrupt, ill-paid and incompetent, and it was but natural that they gathered a mass of inaccurate information and unsystematically prepared statements.

18. Ibid.

19. *Report on the Administration of Bihar and Orissa, 1911-12,* pp 56-57.

20. Papers connected with, Stevenson-Moore, *Final Report on Champaran,* (Board of Revenue Library.)

21. Ibid.

It was only in 1822 that the government initiated the policy of survey and settlement and in 1826 special commissioners were appointed to go into the lakhiraj grants, and rules were framed for their guidance.

The holders of lakhiraj land were superseded, their land was resettled with them and an allowance of 10 per cent of the revenue was assigned to them. Where the waste land was large, revenue was assessed on the total lakhiraj land. But for the first six months it was invariably remitted, and later by an order passed in 1840 the revenue assessed was reduced by half in a number of cases with retrospective effect from 1829.[22]

The bulk of the resumption work was over by the end of 1841. According to an old register found in the collectorate 1,43,884 bighas of lakhiraj land was resumed in 425 mahals and the assessment on the government revenue on them yielded Rs 1,03,540 to the exchequer, increasing the total government revenue from the district to Rs 4,60,967-4-9. Table 2.3 shows the details of the resumption proceedings in Champaran.

Table No 2.3

THE LAKHIRAJ LAND RESUMED IN CHAMPARAN UNDER REGULATION II OF 1819

Pargana	*No of mahals*	*Area (bighas)*	*Revenue assessed*	*Incidence of revenue per acre*		
			Rs	*Rs*	*As*	*P*
Mehsi	106	27,131	22,166	0	13	0
Majhaua	315	1,13,835	78,304	0	11	0
Semraun	4	2,918	3,070	1	0	9
Total	425	1,43,884	1,03,540	0	11	6

Source: Register of Resumption Proceedings in the Collectorate.

22. Ibid.

As has been said earlier, the number of only the small-sized estates multiplied over time. The bigger-sized estates remained almost constant in number. This is evident from Table 2.4 compiled from the reports on the administration of Bengal presidency.

Table No 2.4

ESTATES (INCLUSIVE OF THE GOVERNMENT AND THE TEMPORARILY SETTLED ESTATE) ACCORDING TO SIZE IN CHAMPARAN (1872-73, 1882-83 AND 1892-93)

Category of estates	*Number in*		
	1872-73	1882-83	1892-93
Very large estates (area 20,000 acres and above)	6	6	7
Medium-sized estates (area 5000 acres-20,000 acres	195	199	199
Small-sized estates (area below 5000 acres, exclusive of resumed lakhiraj estates having an area under 20 acres)	695	852	983
Total	896	1,057	1,189

Source: *Annual Reports on the Administration of Bengal Presidency* for 1872-73, 1882-83 and 1892-93.

As compared to other districts of the Patna division both the number and the increase in the number of estates was the smallest in Champaran. Moreover the average area of an estate in Champaran was the biggest. The following table substantiates this point and makes it clear that Champaran was "the district of big landlords" while others were not. This fact will be of help when one attempts to discuss the intermediary tenureholders and the question of transfer of occupancy rights in later chapters.

Table No 2.5

ESTATES ACCORDING TO THE SIZE IN THE DISTRICTS OF THE PATNA DIVISION (1882-83 AND 1892-93)

District	*No of very large estates*		*No of medium sized estate*		*No of small sized estates*		*Average area (in acres) of an estate in*
	1882-83	1892-93	1882-83	1892-93	1882-83	1892-93	1892-93
Patna	1	—	483	366	7,250	10,337	124
Gaya	21	24	707	782	4,869	5,315	492
Shahabad	7	12	939	1,923	3,198	5,789	361
Saran	3	3	588	567	3,536	4,284	350
Champaran	6	7	199	199	852	983	1,900
Muzaffarpur	3	2	553	543	14,173	18,312	102
Darbhanga	4	2	502	398	8,443	11,413	180

Source: *Annual Reports on the Administration of Bengal Presidency* for 1882-83 and 1892-93.

It will now be interesting as well as helpful for understanding the importance of the permanent settlement for the agrarian economy of the district if we turn our attention to the classification of all the estates according to their status.

For the first time in 1873 all the estates of the district were classified under four heads: class I—permanently settled estates, class II—temporarily settled estates, class III—government estates, and class IV—Raiyatwari tracts.

Later in 1891, however, this classification was changed into a threefold one. The details of this new classification were as follows:

Class I—permanently-settled estates including all estates so settled whether: (1) estates settled from the date of the decennial settlement, (2) resumed lakhiraj estates settled permanently, (3) estates formerly the property of government, but the proprietary right in which was sold to private persons, subject to

a revenue fixed in perpetuity, and (4) estates once the property of government, but the proprietary right in which was sold to private persons, subject to a revenue liable to periodical revision.

Class II—temporarily-settled estates including: (1) the estates which were settled with the proprietors for specific period only, (2) private estates leased to farmers for specific periods only, and (3) government estates leased to farmers for specific periods.

Class III—estates held directly by government, which included: (1) those managed for proprietors, and (2) those owned by government as proprietor.

In Champaran there was neither any government estate nor was there any temporarily-settled estate till the end of the second decade of the last century. The resumption and resettlement of lakhiraj land brought into existence 425 new estates out of which four were temporarily settled. They were: Malkauli Pathkhauli in tappa Chigawan Batsara, Charki Diara and Khutwania in tappa Patjirwa, and Gopalpur Masansthan in tappa Dautta. The reason for their being not permanently settled lay in the fact that they were mainly diara areas and their existence was always uncertain because of the changing course of the rivers. The same thing applied to other temporarily-settled estates such as Pachharia tappa Mando, and Ramnagar Panditwa tappa Patjirwa. These two estates were found unsettled by the diara survey of 1865, but before they could be settled they were submerged by the river. Between 1880 and 1954-55, the number of the temporarily-settled estate fluctuated between five and eight.

The only government estate was Ghormarwa, tappa Manpur. It was made khas in 1831, and was later leased to the maharaja of Bettiah for Rs 155-1-0 per annum.

In all there were six temporarily-settled and one government estate with a total revenue of Rs 1178 or 2 per cent of the total revenue demand of the district at the time of the first survey and settlement operations during 1892-99.[23]

23. Stevenson-Moore, *Final Report on Champaran*, pp 42-43; and *Indian Land Revenue Statistics* 1955-56, p 30. See also appendix 3.

Thus it is obvious that the estates other than the permanently-settled were never of much consequence in the district. They did not have any appreciable impact on the rural economy. For example, there was no scope for the peasants from the permanently-settled estates to migrate to them whenever they wanted to do so. In fact there was no challenge to the permanently-settled estates to improve their relations with their tenants or management. The government involvement with the direct management of the revenue affairs was also very much marginal because of almost nonsignificant existence of the temporarily settled estates. The entire district thus can be regarded permanently settled and we can therefore concentrate our attention only on the permanently-settled estates.

Among the permanently-settled estates also we need to discuss only the Bettiah, Ramnagar and Mahduban estates because all the others, numbering more than a thousand occupied less than a quarter of the total area of the district. During 1892-93 out of 1182 permanently-settled estates, 548 paid less than Rs 50 each as government revenue per annum.[24] Their proprietors were not dependent mainly on zamindari incomes for their livelihood. Most of them were tenants of big zamindars and some were tenureholders.[25] Besides very little reliable documentary information and data are available regarding them. That is why in our study it would be worth while to concentrate on the three big zamindaris only.

24. Proceedings of Government of India, Revenue and Agriculture (Revenue), October 1893, Nos 34-35 A.

25. Tapan Raychaudhuri rightly remarks: "It is necessary to emphasise that in its personal aspect the tenurial structure was not marked by any clear gradation. The same individuals or families might be proprietors as well as tenureholders, holding land under a dozen different tenures at various grades... The same person often was landlord as well as tenant in relation to another" (see his paper "Permanent Settlement in Operation: Bakarganj District, East Bengal" in Frykenberg, (ed) *Land Control and Social Structure in Indian History*, p 167).

Let us first explore the question of the utilisation of economic surplus from agriculture under the permanent settlement. For this purpose it is necessary that we consider the two economic variables determining the zamindari income, viz rent and revenue. It is well-known that whatever agricultural surplus was derived by the zamindars by way of rent, a part of it was appropriated by the government as its land revenue demand.

During the reign of Akbar the total revenue-paying area of the district was 99,424 acres and the total revenue assessment was Rs 1,37,835. By 1685 or in about 100 years the latter went up to Rs 2,10,151 representing an increase of 52.46 per cent. In the next 100 years the government revenue demand increased by 67 per cent and reached the figure of Rs 3,51,427-4-9 in 1791 when the decennial settlement was concluded.[26]

As has already been stated, the land revenue demand of the government was limited for ever at the time of the permanent settlement while there was no limit on the increase of the rental prescribed by the government. The government gave up all its claims to any increase in the rental. Consequently, between 1793 and 1951-52, the land revenue demand of the government remained more or less stagnant. It registered an increase of 31.93 per cent between 1793 and 1845 but afterwards there was no significant alteration. The increase between 1793 and 1845 was mainly due to the resumption and settlement of lakhiraj grants. Since the major part of this work was over by 1845, there was no significant change in the government revenue demand. From 1845 onwards whatever fluctuations occurred were on account of the acquisition of land for railways, canals and other public works and the alluvion and diluvion of a few temporary-settled estates.

26. Papers connected with the *Final Survey and Settlement Operations* (1892-99) *in Champaran.*

Table No 2.6

TOTAL LAND REVENUE DEMAND OF THE GOVERNMENT ON CHAMPARAN (1793 TO 1951-52) AND PERCENTAGE CHANGE OVER 1793.

Year	*Total land revenue demand Rs*	*Percentage change over 1793*
1793	3,85,587	—
1841	4,89,127	26.85
1845	5,08,737	31.93
1899	5,15,803	33.77
1900-01	5,15,566	33.70
1913-14	5,15,133	33.59
1916-17	5,15,135	33.59
1929-30	5,16,036	33.83
1934-35	5,16,585	33.97
1946-47	5,14,397	33.40
1951-52	5,14,397	33.40

Source: Motihari collectorate.

Lack of comprehensive price data prevents us from deflating the abovementioned figures and from arriving at their real worth. However some idea of the decline in the real worth of the government revenue demand can be had when we take into account the fact that during 1873-1921 the index number of Bihar and Orissa foodgrain prices increased by 198 per cent[27] while the government revenue demand remained almost unaltered.

The incidence of revenue was Re 0-8-0 per acre of the fully assessed area at the time of the permanent settlement, which declined to Re 0-3-8 on the eve of the abolition of zamindari.[28]

At the time of the permanent settlement, out of the total area of 22,63,194 acres only 6,66,524 acres were assessed for land revenue. That is to say that more than two-thirds of the area was not paying land revenue and when the government limited its land revenue demand for ever, it was a big sacrifice. It meant that whatever increase came about in the rental after

27. Bose, *A Statistical Survey of Food Grain Prices in Bihar and Orissa,* 1861-1934.

28. Motihari collectors papers.

the permanent settlement was appropriated by the zamindars (here we ignore the temporarily-settled and the government estates for the reasons already stated).

The government land revenue demand which was around 64 per cent of the total rental at the time of the permanent settlement accounted for only 12 per cent of the total rental when it was abolished. At the time of the abolition of the system, the total rental and the land renevue demand of the government in Champaran came to Rs 40,42,905 and Rs 5,14,397 respectively.[29]

The total rental was Rs 5,55,615 in 1793 and it increased to Rs 26,20,942 in 1876. The first survey and settlement operations found the total rental of the district at Rs 28,79,442 in 1899, which increased to Rs 33,26,252 by 1919. Thus there was an increase of 15 per cent in the rental in 20 years.[30]

An examination of 67 jamabandis (rent-rolls) for the villages representing the various parts of the district and pertaining to the period 1793-1870 reveals that the rate of rent increased from Rs 1-8-11 per acre in 1793 to Rs 2-4-9 in 1899. The increase worked out to around 50 per cent.[31]

So far as the incidence of rent per acre is concerned it came to Rs 1-13-9 during 1892-99 and increased to Rs 2-2-7 during 1913-19, and at the time of the abolition of the permanent settlement, is was Rs 2-4-0.[32]

So far as the revenue-paying area was concerned it increased from 6,66,524 acres in 1793 to 20,79,815 acres by 1899 and 18,11,800 acres at the time of the abolition of zamindari.[33]

The extension of the revenue-paying area and the increase in the average rent-rate were the result of the increasing demand for land, which was to a large extent caused by the rising population of the district.

29. Ibid.
30. Sweeney, *Final Report on the Survey and Settlement Operations (Revision) in the District of Champaran* (1913-1919), p 110.
31. Mohihari collectorate papers.
32. Ibid.
33. Ibid.

The data about population are derived from the reports of the decennial censuses which began only in 1872. For the period before 1872, no time series data are available though one has some estimates from the government sources but nothing can be said about their accuracy because the methodology adopted for their estimation is not known.

One such estimate is given by Stevenson-Moore for 1845. According to him the district had a population of over 8,60,000.[34] Another estimate put the population of the district at 8,70,000 in 1856-66.[35] This figure seems to be of doubtful validity because only six years later in 1872 the population was found to be 14,40,815 by the census authorities. There was no extraordinary immigration during this period. Hence the population of the district could not have increased by 5,70,815 in such a short period.

The following table shows that the population of the district had an upward trend during 1872-1951, except for the period 1891-1901 when it declined by 3.7 per cent. The rate of increase, however, was not the same throughout.

According to the census figures, the highest rate of increase

Table No 2.7

GROWTH AND DENSITY OF POPULATION IN CHAMPARAN (1872-1951)

Year	*Population*	*Percentage variation over the previous decade*	*Density of population per square mile*
1872	14,40,815	—	408
1881	17,21,608	+19.5	488
1891	18,59,465	+ 8.0	527
1901	17,90,463	— 3.7	507
1911	19,08,385	+ 6.6	540
1921	19,40,841	+ 1.7	550
1931	21,45,687	+10.6	608
1941	23,97,569	+11.7	679
1951	25,15,343	+ 4.9	708

Source: Reports on the Population Censuses from 1872 to 1951.

34. Stevenson-Moore, *Final Report on Champaran,* p 14.

35. *Bengal Famine Report,* 1965-66, p 54; and Proceedings of Government of India, Home Department (Public), August 1968, Nos 84-85.

was witnessed during 1872-81. This might largely have been due to a better coverage in the 1881 census rather than due to actual increase in population.

Compared with the neighbouring districts of Saran and Muzaffarpur, emigration from Champaran had been much less. In 1881 the emigration from Champaran was only 2.49 per cent of the population while the corresponding figures for Saran and Muzaffarpur were 8 per cent and 7.65 per cent.[36] The smallness of emigration was due to a lower man-land ratio. This is obvious from the figures of density of population. The density of population in Champaran was 487.57 per square mile in 1881 while it was much higher in neighbouring districts of Saran (869.71), Muzaffarpur (859.83) and Darbhanga (789.64).[37]

Between 1881 and 1891 the extent of emigration declined but immigration increased. The number of emigrants from the district fell from 39,098 in 1881 to 34,472 in 1891 while the number of immigrants increased from 1,93,659 to 2,48,511.[38]

During 1891-1901 the population declined as a result of crop failures and famines,[39] but the following decade returned a rate of population growth of 6.6 per cent. The opening of four new railway lines, viz Battiah-Narkatiaganj, Narkatiaganj-Bhikhanathori, Bairgania-Narkatiaganj and Narkatiaganj-Bagaha, later the construction of a bridge on the Gandak river near Bagaha, connecting the district with Gorakhpur and other parts of UP by rail, helped immigration.

The construction of Tribeni and Dhaka canals, besides providing irrigation facilities and reducing dependence on the monsoon, created a demand for labour in the northern part of the district where the population was sparse. Both these measures helped fight famines. Consequently the death-rate during 1901-11 was lower. It was 32.66 per thousand which was the lowest in Bihar. The birth-rate during this period was 42.85 per thousand which was the highest in the provice.[40]

36. Bourdillon, *Report on the Census of Bengal*: 1881, p 160.
37. Ibid 26.
38. O'Donnell, *Census of India*, 1891, pp 100-1.
39. O'Malley, *Census of India* 1911, pp 125-26.
40. Ibid.

The decade 1911-21 was full of natural calamities but, in spite of them, the population of the district recorded an increase of 1.7 per cent when the country as a whole showed a negative rate of growth. The excess of births over deaths was 1,25,000 while that of immigrants over emigrants was 23,950.[41]

During 1921-31 there was little permanent migration from the district. A few people, mostly labourers, went out temporarily in search of employment. The number of immigrants was 73,160 and the total number of births recorded during the decade exceeded the total number of deaths by 2,22,500. Thus as a result of the natural factor and also due to migration population increased by 10.6 per cent. This was the highest rate of population growth achieved by any district in north Bihar.[42]

During the two decades 1931-41 and 1941-51 the rate of growth of population was 11.7 and 4.9 per cent. During 1941-51 the immigrants and the emigrants numbered 62,508 and 24,340.[43]

The migration from other districts and within the district and the excess of births over deaths were due to availability of cultivable land and lower rents. These two factors will be discussed further in a later chapter.

The increased population pushed up the rate of rent and the extent of the area under cultivation. Rising prices also contributed to the increase in rent-rate. As has been noted earlier, the index number of Bihar and Orissa foodgrain prices rose from 100 in 1873 to 298 in 1921.

The following table shows the increase in prices of some important foodgrains in the district for a period of more than fifty years. The data presented in this table have been taken from various district records which do not throw any light on the mode of collection of the data and the specifications of the grains for which the price statistics are given. However the

41. Tallents, *Census of India*, 1921, vol VII, pp 104, 107.

42. Ibid., Swanzy, *Bihar and Orissa District Gazeetters: Champaran*, p 39.

43. Prasad, *Census of India*, 1951, pp v, xxiv, 110.

data broadly indicate that the agricultural prices had an upward trend.

Table No 2.8

PRICES OF RICE, WHEAT, BARLEY, GRAM AND MAIZE IN CHAMPARAN (1876-80 TO 1926-30)

(*in seers and chhataks per rupee*)

(*NA=not available*)

Year	*Rice (s-c)*	*Wheat (s-c)*	*Barley (s-c)*	*Gram (s-c)*	*Maize (s-c)*
1876-80	16- 7	16- 5	NA	NA	NA
1881-85	20-10	20-00	NA	NA	NA
1886-90	16-13	20-00	NA	NA	NA
1891-95	15- 6	13- 7	NA	17-10	NA
1896-1900	13- 8	12- 5	NA	15-13	NA
1900-05	15- 3	13-14	NA	18- 2	NA
1906-10	9- 3	9- 7	16- 1	13- 3	14- 0
1911-15	8- 8	10- 8	16-15	13- 9	15- 6
1916-20	7-13	7-13	14- 9	10- 8	12- 2
1921-25	7- 6	6- 0	13- 1	9- 4	10- 0
1926-30	7- 6	7- 7	12- 5	9- 2	11- 0

Source: Motihari Collectorate Papers.

It is clear that the long term trend of the prices of almost all the major food crops was upward. During the entire period under study more than 95 per cent of the population was dependent on agriculture and allied activities. Three-quarters of the net cropped area was devoted to food crops and rice accounted for more than 50 per cent of the area. If the prices are viewed in this light, one cannot but capture their influence on rising value of land and rent per acre.

J. A. Sweeney, the survey-settlement officer in Champaran during 1913-19, observes that "the market value of land has gone up nearly 100 per cent" between 1892-99 and 1913-19 and the average per acre price of land rose from Rs 34-0-0 to Rs 79-8-0 during this period.[44] By 1943-44 the average price of

44. Sweeney, op cit, pp 113-14.

land sold increased to Rs 169-1-6 per acre,[45] and reached Rs 308-15-0 by 1946-47.[46]

We have already referred to the construction of new railway lines and irrigation canals which contributed significantly to rising prices of land. The former opened up possibilities of exporting rice from Bagaha, Shikarpur and Adapur areas to the markets not only outside the district but also outside Bihar. The total exports of the district through railways increased from 8,42,000 maunds in 1900-1 to 26,06,499 maunds in 1914-15.[47] Of the total exports rice accounted for 16 per cent and paddy for 21.5 per cent. The irrigation works ensured an average annual yield of 46,02,000 maunds of paddy.[48]

The next important question is: what happened to the increasing incomes of the zamindars of Champaran? An attempt can be made to answer this question by concentrating attention mainly on the three big zamindaris of the district.

Let us first analyse the conditions obtaining in the Bettiah raj. It may be noted that up to 1855 the Bettiah raj had acquired some landed property and was free from debts. During the time of Rajendra Kishore Singh who inherited the Bettiah raj in 1855, it incurred debts. The reasons for the raj's indebtedness were mainly mismanagement of the estate, excessive expenditure on charity and extravagance. No doubt the dislocation of life in the district during the 1857 mutiny resulted in the shortfall in rent-collection and the thakbast survey proceedings in the district also cost some money. Yet these reasons do not fully explain the heavy debts incurred by the raj. The official chronicler of the raj M. L. Basu has frankly stated: "it cannot be conceived that his (Rajendra Kishore Singh's) debt. . . was due to calls on his exchequer for works of necessity and improvement of the estate. He was extravagant and lavish

45. *Statistics in Connection with the Report on Wards, Encumbered and Trust Estates in the Province of Bihar* for the year 1943-44, Patna, 1945.

46. Ibid, for the year 1946-47, Patna, 1948.

47. Sweeney, op cit, p 5.

48. Ibid, pp 5-7.

its chastisement and subjugation, which had the entire local community...'[46]

The fact that the raj was entirely free from debt, and even some landed properties were acquired by it, does not mean that the zamindars generally enjoyed a luxurious life style or extravagant and unmanageable establishments. The difference was that of degree only. There is no evidence to suggest that the zamindars here formed a class apart or made any efforts to augment the amenities of life, or spend money on construction and development works of public importance.

Since the times of Akbar Kharwar chiefs, when the hereditary title of maharaja was conferred on the ruling chiefs, there had been a conscious attempt by them to show off as a royal ruler over a native state. There was a multiplication of unnecessary private expenses to establish this fact.[47]

In spite of the title of maharaja the Bettiah zamindars was not a ruler in the strict sense of the term. The successive zamindars tried to copy the mode of living of a native ruler and this resulted in wasteful expenditure. Costly, complex and built and lavishly endowed villages were created and other benefactions at new places. Particular villages were allotted to defray the expenses of the maintenance of the officers. For example, the villages of Pokhra, Pakar and Majharia in Khadda pargana were given to the family to which the mother of maharaja Harnal Kishore Singh was married. These villages had an annual rental of Rs 31,215. Similarly Dhanaha in Sathi pargana, and Bhatha in Bhatha pargana yielding an annual rental of Rs 9,851 were given to the Maharani of Basantpur and

[46] Hearn op. cit., p. 14

[47] In the conclusion I have gone through the copies of indigo planters and memoranda of the records of some contemporaries of Harnal Kishore Singh. One contemporary account refers to an interesting incident. During the revolt of 1857 the maharaja of Bettiah lent 40 elephants to the government, out of which only one was returned. When the company offered to pay for 39 elephants, the maharaja refused on the ground that for a 'maharaja' it was below his dignity to accept compensation.

Rajpur and Balbhadrapur, having an annual rental of Rs 4155 to the babu of Jagatganj (Benaras) in dowry.[51]

The villages given in dowry were, for all intents and purposes, rent-free tenures which were heritable but not transferrable. The government revenue for these villages was paid by the Bettiah raj even though it received no income from them.

There was also tikulia property which consisted originally of 22 villages settled rent-free with the wife of Rajendra Kishore Singh as maintenance allowance. These villages were inherited by the senior wife of Harendra Kishore Singh and later more villages were gifted to her. Ultimately she had no less than 197 villages in her possession. For 175 of them, she paid rent amounting to Rs 74,046 to the raj, herself appropriating an income of Rs 2,23,833 from them. 22 villages for which she paid no rent yielded originally Rs 26,049, but the income from them rose eventually to Rs 38,295.[52] Thus on account of tikulia property the raj had to forgo an income of Rs 2,62,128 during the time of Harendra Kishore Singh.

The reason for incurring debts was not a shortfall in the income of the zamindari in spite of the fact that Bettiah zamindars did not fully realise the total rental because of their partiality for brahmins, favourites, relations and tikulia property. The income of the raj had continuously increased. The gross rent was only Rs 9,95,704 at the time of the decennial settlement. In 1866-67 the zamindari demand was Rs 14,09,451-4-5. In 1879-80 it rose to Rs 14,42,018-14-7 and at the time of the death of Harendra Kishore Singh in 1893 it was Rs 16,07,176-0-0. Thus there was an increase of Rs 2 lakh between 1866-67 and 1892-93 alone.[53] During 1897-98, when the raj was taken over by the court of wards, its net income after the payment of all

51. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1898, Nos 8-10.

52. Ibid; and Proceedings of Board of Revenue, Lower Provinces, Land Revenue Department (Wards), Collection No 17, File No 198 of 1899.

53. Basu, op cit, pp 21-22.

government dues and after meeting the cost of collection and of the management of Champaran zamindari was about Rs 12 lakh.[54]

Contrary to the expectations of Cornwallis and the undertakings given by Anand Kishore Singh, there was no effort on the part of any of the zamindars of Bettiah to augment the zamindari income by better management and to generate savings at their disposal by cutting down unproductive consumption which could have been invested in agriculture or in other activities. Not only the rising zamindari income was squandered away but debts were incurred. To quote John Beames who was collector of Champaran during 1866-67: Rajendra Kishore Singh, the maharaja of Bettiah "was a man of forty, but looked much older from the effects of dissipation, for he was an inveterate drunkard and had a large harem. His great estates, some fifty miles in length by thirty broad, were very badly managed and he was heavily in debt... Raja...was constantly drunk and in that state easily led to make presents and sign grants of land and money to his hangerson, toadies and other ministers to his base pleasures..."[55]

By 1876 the raj had become so heavily indebted that the authorities became worried. The collector wrote to the government as follows: "The estate is getting deeper into debt, and that part of the income which is not already hypothecated to pay debts is already expended not for improvement of the soil and the benefit of the people but in satisfying the extravagances of the maharaja and his brahmins. Unless some change takes place, and the maharaja can be induced to agree to limit his expenditure and to appoint a competent manager with full powers... I do not see any possibility of the estate remaining many years longer."[56]

54 Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1898, Nos 8-10.

55 Boames, *Memoirs of a Bengal Civilian,* p 181. Also see: Proceedings of Government of India, Home Department (Public), Consultation, January 1869, Nos 108-114 A.

56. Bettiah raj records.

The board of revenue then persuaded Rajendra Kishore Singh to appoint captain A. N. Cole, a European, as manager in 1864. Cole was succeeded by T. M. Gibbon, another European in 1866. Both of them tried to dissuade the zamindar from indulging in extravagance and persuade him to accept certain proposals for the improvement of the management of zamindari. For example, they tried in vain to get the practice of donating villages to favourites stopped. H. L. Dampier, secretary to the government of Bengal, wrote on 17 October 1868 to A. P. Howell, secretary to government of India, that "at Bettiah... there are at present three parties—the rajah, swayed by conflicting advisers; the maharanee, strongly influencing the rajah in many things, but influenced herself by grasping brahmins; the manager T. Gibbon, regarded with extreme jealousy by the maharanee and the brahmins... The policy of the maharanee is to subvert, by every means in her power, the honest intentions of the manager, and involve the estate in difficulties, in order that the rajah, becoming disgusted with the result of the management of the estate, might be induced into abolishing the present arrangements, and allow his affairs to revert to their former state."[57]

In 1883 Harendra Kishore Singh inherited, along with the Bettiah zamindari, a debt of Rs 20 lakh. This debt increased owing to the heavy interest charges and Harendra Kishore's own extravagance.

The financial situation of the Bettiah raj became so precarious that Harendra Kishore Singh had only two alternatives before him—either to get a loan at a low rate of interest to repay the old creditors or to part with substantial portions of the zamindari. He knocked at several doors for a loan at 6 per cent per annum rate of interest but his efforts failed to bear fruit. Gibbon was then authorised to explore the possibilities of getting a loan in England. He negotiated a loan of Rs 95,00,000 (£4,75,000) in London at an interest of 5 per cent.

On 15 September 1888 the maharaja executed a trust deed in favour of Sir Edmund Drummond, H. N. Gladstone and R. L.

57. Ibid.

Upton in which he hypothecated all his zamindari properties in Majhaua and Semraun parganas and agreed to pay back the loan in 37 years (i.e. by 1925) by giving back £28,500 annually. This sum was to cover the payment of interest and redemption of the 7450 debentures of £100 each. The repayment was to commence in December 1889. Out of the total amount of the loan the maharaja got £4,32,250 and the balance (i.e. £42,750) went to meet the discount at 9 per cent on the amount raised through debentures.

To satisfy the conditions of the loan and cover the interest on it 417 villages were permanently leased (mukarrari) to indigo planters who were asked to pay their rents to Messers Gillanders, Arbuthnot and Company towards remuneration to the trustees at the rate of £300 per annum, £575 as commission to the London agents of the trustees and £28,500 as interest and value of so many debentures at per as the money left after satisfaction of the interest would suffice to redeem.[58] In all there were two instalments of £28,500 every year and an important condition of the loan was that if any instalment of interest remained unpaid for 30 days after the due date, the mortgagees were entitled to foreclose on the property and with a view to preventing such a contingency, the above arrangement was made with Messers Gillanders, Arbuthnot and Company.[59]

As a result of the mukarrari leases the raj had to part every year with Rs 5,31,783-15-5 as the rental of 417 villages till the loan was fully repaid.

No significant investment was made by any of the zamindars of Bettiah in government securities and promissory notes. Besides, in spite of good prospects of commercial crops, no effort was made by them to take advantage of any of the commercial crops. Similarly no zamindar of Bettiah even tried to explore the prospects of developing sugar industry or some other industrial activity. In a letter written to a friend, Harendra

58. Bettiah raj records.

59. Proceedings of Government of India, Revenue Department (Land Revenue), September, 1899, Nos 127-29.

Kishore Singh clearly said that industry and trade were not for a raja like him but for profit-seeking marwari.[60]

The Bettiah zamindars did not undertake any important work of public utility. Money was spent neither on education nor on providing facilities to cultivators.

Harendra Kishore Singh tried to make some investment in zamindari property which also turned out to be a bad one, thus confirming that he had no foresight. He purchased the Bhopatpur zamindari situated in Champaran, Saran and Muzaffarpur. He borrowed Rs 9.5 lakh through Messrs Gillanders, Arbuthnot and Company and paid off a part of Bhopatpur zamindar's debt and took over the balance on himself and in exchange received a conditional sale deed of Rs 15 lakh. How this attempt to acquire zamindari property pushed Harendra Kishore Singh deeper in debts is clear from the following facts. The Bhopatpur zamindari comprised 64 village in Champaran, shares in 3 villages of Saran, and a share in one village of Muzaffarpur. The total rental of the Bhopatpur zamindari amounted to Rs 75,596-12-4 of which Rs 14,726-14-5 went as revenue and cesses to the government and a further sum of Rs 10,400 was deducted for Bhopatpur zamindar's maintenance, remuneration of the trustees of the loan and collection expenses, leaving a balance of Rs 50,469-13-11. The annual interest on the total amount of the loan incurred by Harendra Kishore Singh for purchasing this zamindari came to Rs 1,12,500. Thus there was an annual deficit of Rs 62,030-2-1 on this count.[61]

When the court of wards assumed charge of the Bettiah zamindari on 1 April 1897 the debts incurred by it amounted to Rs 80,32,705-9-9 as principal including the unreduced balance of the sterling loan and Rs 1,02,720-14-0 as overdue interest as shown in Table 2.9.

60. The letter was shown to me by Ramdyal Prasad Shah of Motihari. It was addressed to Gopal Shah.

61. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1898, Nos 8-10.

Table No 2.9

LOANS DUE BY THE BETTIAH RAJ ON 1 APRIL 1897

Loans due to	*Principal*			*Overdue interest*		
	Rs	As	P	Rs	As	P
Gopal Shah (Motihari)	1,10,847	15	7	0	0	0
Bara Factory	486	5	4	10	15	1
Pipra Factory	34,940	9	0	786	2	8.1/2
Rajpur Factory	3,750	0	0	18	12	0
Sterling Loan (unreduced balance)	64,44,975	0	0	80,569	11	0
Great Eastern Mortgage Co, Calcutta	9,50,000	0	0	15,437	8	0
Turkaulia Factory	1,60,000	0	0	800	0	0
Sheonath Shastri (Banaras)	2,00,000	0	0	3,500	0	0
Small Loans	1,27,705	11	10	1,597	13	2.1/2
Total	80,32,705	9	9	1,02,720	14	0

Source : Bettiah Raj Records.

When the court of wards assumed charge of the Bettiah zamindari, the total income from all sources was Rs 20,18,792-0-1.½ out of which the rental of the Champaran villages alone came to Rs 17,01,156-0-3½. The total amount of the government revenue and cesses payable by the raj amounted to Rs 5,47,491-9-10 out of which the government revenue and cesses for the Champaran zamindari came to Rs 4,65,718-13-0 and for the Bhopatpur zamindari to Rs 14,726-14-5. The total cost of management of the zamindari amounted to Rs 1,37,259-6-0. After deducting the government revenue and cesses and the cost of management, the net income of the Bettiah raj from its entire zamindari came to Rs 13,34,041-0-3½.[62]

The net income (i.e. total collection of rents and cesses due to the raj minus the amount paid to the government on account of rents and cesses and the cost of management during that

62. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1898, Nos 8-10; Proceedings of Government of India, Revenue and Agriculture (Land Revenue), December 1898, No 2 B.

particular year) from only the zamindari property in Champaran rose from Rs 12,81,422 in 1910-11 to Rs 20,24,605 in 1941-42. The current demand of rent and cesses on the Champaran zamindari increased from Rs 19,24,511 in 1910-11 to Rs 27,97,553 in 1946-47. The cost of management as percentage of the current demand of rents and cesses also increased from 7.5 per cent in 1910-11 to 15.9 per cent in 1937-38 mainly because of the increase in allowances to thikadars and the salaries of the staff and the general price-rise.[63]

Not only the net income of the raj increased but all the debts were wiped out by 1925-26 which brought a surplus of about Rs 4,50,000 per annum. It enabled the raj to buy back the mukarrari rights from the planters.

Rules were framed for regular maintenance of records of rights and other documents. Earlier authentic records and documents were hardly maintained. The raj under the court of wards devoted its attention to the development of education in the district. A high school for boys was started at Bettiah and another for girls at Motihari. Besides it gave help to a number of other educational institutions in the district. Special scholarships were regularly awarded to students of Champaran studying medical and other sciences. The raj also provided medical facilities to the people. In 1910-11 when it still had to pay loans amounting to Rs 44,14,271, it spent Rs 78,731 on schools and dispensaries. This was unthinkable before. Lastly, the raj acquired some property also. In 1904-5 two shares—one of Khajeh Abdullah and the other of Bibi Azimulunissa in Mahal Motihari comprising several villages—were purchased by the raj for Rs 1,50,819.[64]

63. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), March 1921, Nos 105-110B; Proceedings of Government of India Revenue and Agriculture Department (Land Revenue), December 1900, No 16 B.

64. Proceedings of Government of Bengal, Revenue Department (Land Revenue), November 1911, Nos 23-25 A. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), December 1918, Nos 12-16 A; March 1921, Nos 7-11 A; March 1923, Nos 549-554 B; March 1930, Nos 731-733 B; January 1933, Nos 871-874 B; December 1933, Nos 423-426 B; April 1935, Nos 209-212

The Madhuban raj which had an annual income of Rs 2 lakh and the government revenue demand of Rs 22,385 during the early years of this century, ran into debt because of its proprietor's extravagance and wasteful expenditure. Consequently the major portion of the zamindari was mortgaged to the maharaja of Dharbhanga. There is no evidence to suggest that it ever spent any money on welfare activities among its tenants or on improvement of agriculture.[65]

Earlier we referred to the dispute concerning the succession to the Ramnagar zamindari after the death of Raja Prahlad Sen in 1879. At that time the zamindari consisted of 455 villages out of which 185 were given as mukarrari. The senior widow of the late raja was also a mukarraridar though the exact number of villages held by her is not known. These villages were given to her when the zamindar needed money to pay off his debts and the senior rani advanced a loan for that purpose. 70 villages of the zamindari were given to various people as jagir. The rest of the villages numbering 200 were held either as thika or khas.

The situation worsened with the passage of time. By 1900 the rising gap between the expenditure and the income had forced the zamindar to levy illegal cesses in spite of the warnings from the board of revenue. The management of thikadari villages was no better. Throughout the zamindari abwabs ranging from 50 to 60 per cent of the lawful rent were regularly taken from the tenants. In spite of these exactions, by 1912 the zamindari was indebted to the tune of Rs 5,93,976-14-2.[66] The debts were incurred in order to meet the zamindar's expenditure on wines, dancing girls and other such items. The official government report on the Ramnagar zamindari described the situation in the following words in 1906: "The state of things prevailing in the

B and May 1937, Nos 572-577 B. *Reports on Wards, Encumbered, Trust and Attached Estates in the Province of Bihar and Orissa* from 1923-24 to 1934-35 and for the province of Bihar from 1935-36 onwards.

65. Swanzy, op cit, pp 153-54.

66. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), February 1918, Nos 35-42 A, and December 1918, Nos 12-16 A.

Ramnagar estate is . . . unsatisfactory, the landlord who expends the greater part of his time at Banaras, being a confirmed drunkard. Recently he executed a deed of gift conveying his whole property to one of his wives, but this lady has so far refused to act upon it and owing to previous mismanagement the estate is in almost hopeless confusion."[67]

To give one more instance to show how extravagance and expensive habits brought troubles to Champaran zamindaris, let us turn our attention to the Bhopatpur zamindari. The rental of this zamindari and the government revenue were Rs 75,596-12-4 and Rs 14,726-14-5 respectively in 1893. In spite of the net income of about Rs 60,000 it incurred debts and ultimately it had to be sold to the Bettiah raj for Rs 15 lakh. Debts were incurred because the proprietor Fateh Bahadur Singh had spent lavishly on the marriage of his son Shamsher Bahadur Singh and had indulged in idiosyncrasies like sweetening the water by putting sugar in wells falling on the way from his place to that of the bride.

Our discussion of the zamindars of Champaran leads us to certain definite conclusions.

First, except for the Sheohar zamindar no other big zamindar was dispossessed of his zamindari as a result of the sunset law. Even when the Sheohar zamindari possessions in Champaran disintegrated there is no evidence to suggest that the parvenu from the urban areas came to buy them.

Second, none of the big zamindaris broke up and got fragmented owing to partition. Only small zamindaris were affected by partition and their breaking-up did not affect the structure of property distribution in the district in any significant way.

Third, the rental incomes of the Champaran zamindaris went on increasing because of a permanent limitation on the government revenue demand and the rising raiyati rental. The latter was influenced by the rising demand for land and by rising prices.

67. Proceedings of Government of Bengal, Revenue Department (Miscellaneous), October 1906, Nos 9-12 A.

Fourth, the agricultural surplus derived by the big zamindars of Champaran was put to nonproductive use. Their tendency was to show off as if they were native rulers and in order to do this costly temples were built and lavishly endowed. Villages were gifted to the favourites. Huge amounts of money were spent on liquor, dancing girls, ceremonies and entertainments. These expenses landed them in huge debts. None of them spent any significant part of their income on the improvement of agriculture or development of industry and commerce.

Lastly, the three big zamindars were, to all intents and purposes, absentee landlords. In spite of their having their places of residence in their zamindaris, they seldom took any active interest in the management of these zamindaris. On 1 April 1897 a little over 91 per cent of the rental of the Bettiah raj was collected through intermediary tenureholders. If we take into account the two out of the three big zamindaris—the Bettiah raj and the Ramnagar raj—we find that in 1917 out of 2220 villages under them 1937 were held by the intermediary tenureholders.[68]

Thus our analysis supports the following observations made by T. Raychaudhuri: "In fact, however, absenteeism was not a matter of the zamindars' physical absence from the vicinity of their estates. The zamindar might never stir from his village home and yet take only a very casual interest in the management of his estate; and this appears to have been the state of affairs in most cases."[69]

All the three big zamindars of Champaran survived mainly on the basis of the rental income and none of them undertook any productive activity. This frittering away of the economic surplus appropriated by them may explain, to a greater extent, why the permanently-settled areas remained backward in both agriculture and industry.

68. Bettiah Raj Records.

69. Tapan Raychaudhuri's paper "Permanent Settlement in Operation: Bakarganj District, East Bengal", in Frykenberg, op cit, p 170.

The expectations of the framers of the permanent settlement did not come true at all. The zamindars did not implement the patta regulations because they did not want to place limitations on their rental demands. Consequently Hunter found in 1877 that "hardly any land in Champaran is held by tenants with a right of occupancy".[70] This situation continued till 1899 when the first comprehensive survey and settlement operations took place.

Zamindars neither tried to protect the raiyats from the exactions and exploitation by the intermediary tenureholders nor did they help them during the time of natural calamities. Let us illustrate it by one concrete example. In 1874 a suggestion was made by the government that was willing to reduce its land revenue proportionately if the zamindars agreed to remit rents. The zamindars of Champaran summarily rejected the suggestion.[71] Earlier during the 1865-66 famine, the government had appealed to zamindars to create a relief fund but the response was almost nil, with the exception of the Bettiah raj which contributed a paltry sum of Rs 5000 towards it.[72]

Thus the zamindars of Champaran did not behave in conformity with the model the framers of the permanent settlement had in mind. The reason was their failure to take note of the social milieu in which the zamindars operated. Instead they thought the zamindars to be economic gain-maximisers. Benoy Chowdhury has aptly said in one of his papers that "to most non-Indian civilians in Bengal, the expenditure by zamindars of an enormous sum on religion, numerous ceremonies and the maintenance of a large number of favourites seemed entirely irrational. The civilians' criterion of irrationality was the desirability of managing landed estates as a business involving necessary conversion of the surplus income from the estates into capital as a means of gradually augmenting this income. But

70. Hunter, *A Statistical Account of Bengal,* Vol. XIII, p 282.
71. Proceedings of Government of India, Revenue and Agricultural Department (Land Revenue), January 1899, Nos 15-20 A.
72. *Bengal Famine Report: 1865-66,* p 83.

such a norm was unacceptable to most zamindars. They had acted according to their convictions derived from their cultural milieu, their status consciousness and their concept of the ideal relations between them and their dependents."[73] What was true of the zamindars of Champaran was generally true of the other zamindars of Bihar also.[74]

73. Benoy K. Chowdhury's paper "Agrarian Economy and Agrarian Relations in Bengal (1859-1885)" in Sinha, N. K. (edited), *The History of Bengal (1757-1905)*, Calcutta, 1967, p 237.

74. See, Jha, *History of Darbhanga Raj*, pp. 63-70; Datta, *Biography of Kunwar Singh and Amar Singh*, p 36; and Proceedings of Government of Bihar, Revenue Department (Land Revenue), January 1940, No. 854-857B.

Chapter Three

INTERMEDIARY TENURES

It was seen in the last chapter that none of the three big zamindars of Champaran managed their zamindaris directly. Instead they entrusted the management to intermediary tenure-holders.[1] Intermediary tenures are supposed to have arisen as a result of such factors, on the supply side, as administrative difficulties of rent-collection, zamindars' absenteeism and leisure preference. On the demand side, the desire for speculative investment in rising rental income and status of exercising zamindari rights are said to have been important factors contributing to the growth of intermediary tenures.

In Champaran the proliferation of intermediary tenures had two special features. First, there were only two layers of intermediary tenures. Under the zamindar there existed either a thikadar or a mukarraridar who in some cases managed the tenures through a katkinadar. This fact made the proliferation of intermediary tenures in the district simpler and less complicated as compared to other districts where the layers of intermediary tenures were up to 24. Second, was the dominating role of the European planters as intermediary tenureholders. This sharply distinguished the district from others.

The practice of leasing out portions of zamindaris was quite old and widespread in Bihar. The government of Bengal, while tracing the origin of this practice, came to the conclusion "The

1. According to the Bengal tenancy act of 1885 a tenureholder was defined as "a person who has acquired from a proprietor or from another tenureholder a right to hold land for the purpose of collecting rents or bringing it under cultivation by establishing tenants on it, and includes also the successors in interest of persons who have acquired such a right" Rampini and Kerr, *The Bengal Tenancy Act*, pp 49-50.

custom of farming out the property was in vogue at a time anterior to the date of any existing records, and it was directly the means of bringing under cultivation vast tracts of jungles and waste land which, without the lessees' personal interest in doing so, could have never been done".[2]

So far as Champaran is concerned, a letter written by Montgomerie to John Shore on 16 October 1789 shows that the system of farming out the villages was widespread in the Bettiah raj even before the permanent settlement.[3] However the first mention of thika tenures occurs in a letter dated 17 June 1772 of Golding, the supervisor of Saran.[4]

At the time of the decennial settlement the bulk of the Bettiah raj rental was collected through thikadars. Bir Keshwar Singh continued the practice even after the decennial settlement and his successors stuck to it.[5] In the Bettiah raj intermediary tenures were also granted as reward for the past services. Tenures of this type came to be known as bekh birts.

The other two big zamindaris followed the pattern adopted by the Bettiah raj. The only exceptions were the small zamindars who rarely leased any portion of their zamindari possessions.

In Champaran intermediary tenures, excepting bekh birts, assumed two forms—thika and mukarrari. The basic difference between the two forms was that while the former were for a specific period, and generally for a short one, the latter were permanent. Moreover in the case of thika tenures rentals were liable to be altered.

When a zamindar created an intermediary tenure, he delegated his right to collect the rents payable by the raiyats and to cultivate such lands as were at his disposal for a specified term of years in the case of thika tenures or for all time to come

2. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1899, Nos 127-129.
3. Bettiah Raj Records.
4. Ibid.
5. Basu, op cit, p 22.

in the case of mukarrari tenures; upon payment of a premium and the undertaking to pay a fixed amount of annual rent[6]

The practice of creating intermediary tenures was resorted to by zamindars for one or more of the following reasons: (a) they might be in urgent need of money, in which case the initial premium was the inducement, (b) they might be unable to arrange for the collection of rent and cultivation of zirat land, or (c) they might, as in some cases, wish to pursue an aggressive policy which might involve personal responsibility to the criminal court, and that responsibility was undertaken by intermediary tenureholders. To explain this let us take an example. Suppose there was a zamindar who had a cousin. The cousin was rightly or wrongly claiming a portion or whole of the zamindari. If the cousin wanted to take possession of the zamindari by force, the zamindar would have to come in clash with him. The zamindar could pass over this responsibility to someone else by making him an intermediary tenureholder or, in other words, a de facto zamindar either permanently or for a specified period. If there was bloodshed, the zamindar would not be hauled up. The rental to be paid to the lessor was to be so low as to induce the tenureholder to take all measures to retain the tenure.

The three big zamindars of Champaran resorted to thikadari system on a large scale during the 19th century mainly because of the first two reasons enumerated above. They needed cash to pay off their debts which only thikadars could readily provide.

When in 1888-89 the Bettiah raj raised the sterling loan, the European planters were given mukarrari tenures to satisfy the terms and conditions of the loan.

Besides, the Bettiah raj resorted to the practice of leasing out portions of it because of another reason also. The area of the raj was 2335 square miles and the system of transport and communications was very poor. Very few good roads existed. Whatever existed by way of roads were suitable only

6. Lister, *Bihar and Orissa District Gazetteers*: *Hazaribagh* p 61; and *The Report of the Indian Famine Commission,* Part II, p 118.

for bullock carts and pedestrians. During the rainy season it was very difficult to tour the zamindari to supervise the management work. Thus lack of proper arrangement of transport and communications was a big hurdle in the way of efficient kham management of the zamindari. On the other hand thikadars undertook to pay their rent in time no matter whether they recovered it from the raiyats or not. Thikadars did not have much difficulty in the collection of rents and the management of their tenures because they were generally local people and their tenures were not very large in size.

Let us see now who were the people holding intermediary tenures. As already stated, a part of each of the three big zamindaris was leased out to the favourites in recognition of their services. These tenures were generally called bekh birts. At the time of the decennial settlement, bekh birts were confirmed and called thika tenures. Thus bekhbirtdars became thikadars and were recorded as such after the permanent settlement. But, unlike other thika tenures, bekh birts were permanent and heritable. During the 1892-99 survey and settlement operations, 31 villages were recorded as bekh birts under the Bettiah raj and the rent payable by them was Rs 4751-0-7.[7] Among these bekhbirtdars were generally brahmins and other favourites of the zamindar.

Sometimes members of the family of zamindars also took thika tenures directly or benami in order to amass private fortunes. The Deorhi Mahal of the rani of Ramnagar and the Tikulia property of the Bettiah maharani consisted of villages leased to them by the respective zamindars. In 1868 the maharani of Bettiah held 54 villages having a total rental of Rs 65,836-1-6 benami through Pallıck Singh, a confident of hers. Pulluck Singh himself had 16 villages at a total rental of Rs 6974-0-3 and another 14 villages free of any rent-payment.

7. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1898, Nos 8-10, and Basu, op cit, p 29.

The maharani held thika tenures through other confidants like Bakhtiar Tiwari and Gajadhar Missir also.[8]

Except for cases where the favourites were lessees, the highest bidders at public auction were granted the leases. The highest Indian bidders were generally rich peasants, petty zamindars and moneylenders who needed secure avenues for investment and intermediary tenures suited them most. Moreover they also acquired zamindari rights to advance their social status.

Before the European planters came to Champaran in the fourth decade of the nineteenth century, all the intermediary tenureholders were Indian. As soon as the European planters arrived on the scene, they took advantage of the system of farming out portions of zamindaris in the district and emerged as the dominant section among the intermediary tenureholders. Later in 1888-89 they secured 417 villages as mukarrari in accordance with terms and conditions of the sterling loan. These villages were held by them earlier as thika. Table 3.1 gives the details of the mukarrari lease granted in 1888-89.

Here, however, we should not lose sight of the fact that some mukarrari tenures were granted by the Bettiah raj even before 1888-89, which came to be known as mukarrari or mokari momlah. These tenures were also granted as a result of the raj's involvement in debts. "At the time of doing the mokari momlah in 1293 FS (1885-86), the raj owed to the different indigo concerns[9] the large sum of Rs 19,21,588-3-9, for which only 6 per cent per annum interest was being paid. Besides this there was a sum due to Seerah and Moorla factories Rs 2,58,294-6. To do the mokari momlah, the planters were called on to present a large salami of Rs 15,21,646-13-9 plus the price of the raj's share in all trees in the mokari villages, amounting to Rs 3,24,104-4-7. Five factories who were already holding the

8. Proceedings of the Board of Revenue, Lower Provinces of Bengal, Land Revenue Department (Wards), collection No 17, file no 198 of 1899; and Proceedings of Government of India, Home Department (Public), January 1869, Nos 108-114 A.

9. The terms 'indigo factory' and 'indigo concern' were interchangeable.

mokari momlah had to pay for an extension of some of their thikadari leases before the expiration of the existing term a salami of Rs 50256-9-6. The abovementioned amounts were

Table No 3.1

MUKARRARIDARS, NUMBER OF VILLAGES LEASED AND JAMA (1889)

Names of the Mukarraridars	*Number of villages leased*	*mukarrari jama according to raj records* Rs As P
1. Pipra Factory	80	77,877- 8- 3
2. Mallahia Factory	9	8,765-15- 0
3. Tajpur (Karnaul) Factory	10	7,488- 4- 0
4. Tetariah Factory	4	6,385- 5- 9
5. Bara Factory	13	7,978-14- 3
6. Babhnauli Factory	5	12,528- 8- 0
7. Lalsaraya Factory	43	62,654- 4- 0
8. Motihari Factory	42	90,696- 9- 0
9. Murla and Loheria Factory	17	14,561- 5- 9
10. Rajpur Factory	35	46,587-13-10
11. Parsa Factory	41	26,360-12- 9
12. Turkaulia Factory	111	155,347-10-10
13. Bairia Factory	7	14,551- 0- 0
Total	417	5,31,783-15- 5

Source: Bettiah Raj Records.

paid or credit given and the mokari business was concluded Besides... a similar extension was given during the terms of other thika leases, for which a salami was taken from the factories . . ."[10]

The terms of an intermediary tenure provided for the immediate entry of the lessor on default of two instalments of rental and the recovery of the arrears by suit. This stipulation resulted in prompt payment of the rental to the zamindar.

10. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1899, Nos 127-129.

So far as the mukarrari tenures held by a European was concerned there was a special condition attached to it. A European mukarraridar was not allowed to alienate his mukarrari rights to anyone except a European. Further, he could not alienate his mukarrari rights even to a European if the rent payable to the zamindar was less than Rs 7500. There was only one exception to this rule. Village Ahiraulia in tappa Bahas which had been earlier leased to Ramgarhwa factory was given to the sister of T. Gibbon on mukarrari in 1890 on a jama of Rs 3385-10-0. This did not contain any restriction regarding alienation.[11] Thus Indians were debarred from holding mukarrari tenures, only Europeans could hold them. This was perhaps due to the fact that the European tenureholders were members of the Bihar Planters' Association and they were subject to some measure of discipline. Therefore they could be forced to pay their rental towards the payment of the sterling loan of the Bettiah raj, if they showed any slackness in doing so.

Thikadars were forbidden from subletting but this was observed more in breach than in practice. Big Indian thikadars generally sublet their tenures. The sublessees were called katkinadars.

Indigo planters took advantage of the practice and became katkinadars. They held undertenures mainly from brahmin courtiers of the Bettiah raj, who liked safe and regular returns without bothering about the management of their thika bekh birts.[12]

Thus in practice the proliferation of intermediary tenures went one step further. Between the tenant and the government intervened the zamindar, the thikadar and the katkinadar. It is interesting to note that the European tenureholders never resorted to subletting. This was because the purpose for which they secured intermediary tenures was different.

When the Bettiah raj was brought under the court of wards on 1 April 1897, its total zamindari income was Rs 18,23,985-2-8½ out of which Rs 17,01,156-0-5½ came from its zamindari posses-

11. Ibid, Nos 8-10.
12. Stevenson-Moore, *Final Report on Champaran*, pp 150-51, 154.

sions in Champaran and over 91 per cent of this latter amount was collected through mukarraridars and thikadars.

Twenty years later (i.e. in 1917) also the situation had not radically altered. Thikadars and mukarraridars were still responsible for more than 82 per cent of the zamindari income of the raj from Champaran.

Table No 3.2

ZAMINDARI INCOME OF THE BETTIAH RAJ FROM CHAMPARAN

(1897 AND 1917)

Payable by	*Amount (Rs—As—P) in*		*Percentage of the total zamindari income from Champaran in*	
	1897	*1917*	*1897*	*1917*
Mukarraridars	5,75,662-8-2	5,75,000-0-0	30.9	29.1
Thikadars	9,83,443-11-½	10,50,000-0-0	60.8	53.2
Direct collection	1,42,049-13-3	3,50,000-0-0	8.3	17.7
Total	17,01,156-0-5½	19,75,000-0-0	100.0	100.0

Source:— Basu, *The Consecutive Account of the Bettiah Estate,* p 18; and *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, p 42.

Though in percentage terms the zamindari income collected through intermediary tenureholders declined between 1897 and 1917, in absolute terms it increased from Rs 15,59,106-3-2½ to Rs 16,25,000-0-0. The reason for the decline was that the total zamindari income of the raj from Champaran increased more than the thikadari and mukarrari rentals because most of the new land settlements with tenants were kept under kham management. This was the combined result of both supply and demand conditions. On the supply side was the policy of the court of wards showing preference for the kham management, and on the demand side was the disinclination on the part of European planters to go in for more intermediary tenures owing to declining demand for natural dye in the world market.

So far as the area of the raj was concerned, 11,71,473.32 acres

was held by the tenureholders and only 2,31,183.05 acres was under kham management in 1917.[13]

Taking both the Bettiah and Ramnagar zamindaris together, out of 2220 villages held by them only 283 were under their kham management and the rest were held by thikadars and mukarraridars. It should be noted here that the total number of villages in the district was 2846.

Table No 3.3

MANAGEMENT OF VILLAGES OF THE BETTIAH AND THE RAMNAGAR ZAMINDARS (1917)

Name of the zamindari	*Total No of villages*	*No of villages under*		
		kham	*mukarraridars*	*thikadars*
Bettiah	1719	252	503	964
Ramnagar	501	31	102	368
Total	2220	283	605	1332

Source: Sweeney, *Final Report on the Survey and Settlement Operations in the District of Champaran (1913-19)*, pp 25-26.

The importance of the European tenureholders is clearly shown by the fact that in 1917 out of the total rental of Rs 16,25,000 received by the Bettiah raj, the contribution by European tenureholders came to Rs 14,75,562,2-5.[14]

Planters sought thika and mukarrari tenures not for rental income but for increasing their profit made from indigo by extending the area under its cultivation.

There were two main sytems of indigo cultivation, viz nij or zirat (own cultivation) and raiyati or assamiwar (cultivation through tenants). Under the zirat system, the planter himself grew indigo on certain holdings at his own expense and with hired labour. These were the holdings set apart for the use of a zamindar or his lessees. Additions could be made to them by annexing fields abandoned or surrendered by tenants and

13. Bettiah Raj Records.

14. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), November 1817, Nos 57-59 A.

as a result of the lapse of pattas on account of the absence of heirs to put up their claims. These could also be made by forcible eviction of those raiyats who did not have documentary evidence to prove their occupancy rights.[15]

The planter in Champaran could not increase the area under his zirat by buying land from occupancy raiyats because of two reasons. First, as already stated, before 1892-99 most of the tenants did not have occupancy rights, hence the question of transferring their tenancies did not even arise. Second, because of the prevailing custom, a Champaran occupancy tenant who wanted to transfer his tenancy had to seek the permission of the zamindar, which was not easy to obtain. Even if the planter could secure the transfer of the holdings of occupancy tenants they were seldom contiguous and sufficient in area to allow largescale zirat cultivation of indigo. Thus a planter could not reasonably hope to get sufficient land and in compact blocks.

Moreover there were other difficulties in extending zirat cultivation, such as getting the zirat land properly cultivated and supervised and making the cultivation fairly profitable. The proper time for cultivation was spring and sowing was done after the first suitable rain. It was absolutely necessary that sowing should be completed within 3-4 days of rainfall. To do it efficiently within such a short time, the planter had to move about rapidly in his entire establishment extending over a wide area. The problem of the supply of necessary labour and ploughs was not easy to solve. Even for their small zirats, they had to import tribal Oraon families from Ranchi.[16]

Building up a selfsufficient organisation by maintaining bullocks, ploughs and labourers was tedious and difficult besides being expensive. For a zirat of 1500 acres a planter had to maintain at least 200 ploughs with 400 bullocks. It was simply impossible for a planter to maintain such a large number of bullocks. It was utterly uneconomical because they were need-

15. O'Malley, *Bengal District Gazetteers: Champaran,* p 115. Hunter, *A Statistical Account of Bengal,* Vol. XIII, pp 268-69.

16. They are still found near the places of location of indigo factories and are locally known as 'dhangars'.

ed only for a short period when sowing of indigo was done. Since the planter was generally not interested in any other crop, bullocks would remain idle for most part of the year.

Even hiring such a large number of ploughs was not possible because very few peasants would voluntarily agree to lend their ploughs during the busy agricultural season.

Under the assamiwar system, raiyats grew indigo on a specific portion of their holdings and delivered it to the planter concerned. The terms and conditions of indigo cultivation under the assamiwar system were regulated by a written document called satta. Given below is the abstract of a satta:

"I, A.B., acknowledge that I have received an advance of Rs 2 from the factory, and in consideration thereof, I bind myself to cultivate for the period of seven years one bigha of indigo. I undertake to prepare my land in such a manner as shall be approved by the factory servants; and after receiving the seed, to sow the land with indigo in the month of Phalgun (15 February-15 March), should the seed, for any cause, not germinate, I further promise to resow the land, or such portion as may be necessary, in Vaisakh (April 15-May 15), and again, if necessary in Asadh (June 15-July 15). I further promise, when the manufacturing season commences, to cut the plant and load it on the factory carts, and I agree to receive, as the remuneration of my labour, Rs 8 a bigha if the crop is a good one, and Rs 4 a bigha if the crop is a failure. I also undertake to pay the rent of the land upon which indigo is grown, and if I fail to fulfil any of the terms of this agreement, I bind myself to pay the factory damages at the rate of Rs 16 a bigha."[17]

The form of the satta was amended[18] from time to time, though the basic structure remained intact.

17. Proceedings of Government of India, Home Department (Public), January 1869, Nos 108-114 A; and Proceedings of Government of Bengal, Revenue Department (Land Revenue), August 1911, Nos 1-3 A.

18. For amendments see: Proceedings of Government of Bengal, Revenue Department (Land Revenue), May 1911, Nos 9-11 A, and December 1911, Nos 12-14 A.

Thus every raiyat was advanced some money for cultivation purposes. He promised to pay damages if he failed to carry out the agreement. Plots devoted to indigo were usually changed every three or five years when they became less fertile for indigo. This process called badlain was an important characteristic of the assamiwar system.

The system of badlain and the supervision by the factory servants over all stages of indigo cultivation were necessary because the price of indigo by itself was never sufficient to induce the raiyats to put their best land to indigo and devote their time and energy for maximising the yield of the crop. However because of weak or insufficient economic inducement to the raiyats to grow indigo, the planters had to exercise extraeconomic compulsions derived from their status as tenureholders.

Planters preferred the assamiwar system to the zirat system because of certain definite advantages. The former involved less botheration and risk. Planters, as pointed out earlier, did not have to maintain a huge and expensive establishment. Since they were interested only in indigo, the optimum utilisation of the establishment was not possible.

Raiyats generally prepared their plots better because of the supervision by planters' servants who were generally local bullies. Under the assamiwar system, if the crop failed as it did in many cases, the entire responsibility was that of the raiyat and he was liable to be charged damages if his negligence was proved. But under the zirat system a planter had to bear the entire risk involved. As a result of all this, profitability was bound to be lower under zirat cultivation.

The existing practice of farming out zamindaris afforded golden opportunity to planters to go in for the assamiwar system of indigo cultivation. They could acquire zamindari rights by becoming intermediary tenureholders and through the exercise of the zamindari rights they could force the raiyats to execute sattas on the terms dictated by them.

On their arrival in Champaran during the fourth decade of the nineteenth century, the planters found that all the three big

zamindars were in need of money and it had become almost a regular practice to demand higher amounts of rental from thikadars on the renewal of their lease. Indian tenureholders met their demands either by raising the rents of the raiyats for existing holdings or by setting waste lands with them and increasing their jama. Salamis and abwabs were also realised in addition to the jama. However there was a limit beyond which the total realisations from raiyats could not be increased because, compared with the area and availability of land for cultivation, the population was small and the demand for cultivable land was not very strong. When the rents were pushed beyond a particular limit, peasants deserted the villages and fled to the Nepal territories.[19]

The planters differed from the Indian tenureholders because they were not interested in earning an income by raising rents and maintaining a margin between the total realisation from the raiyats and the amount payable to the zamindar. They were interested primarily in acquiring zamindari rights to force the raiyats to grow indigo under the assamiwar system. In certain cases payments to zamindars by way of thikadari rentals were much higher than the total collections from the raiyats. As early as 1868, H. Bell, judge of the court of small causes. Motihari, wrote to the government of Bengal: "One gentleman informed us that he collected rupees 40,000 from his raiyats, and paid Rs 52,000 to the zamindar, thus leaving a loss of Rs 12,000 per annum to be made good by the profits on indigo."[20]

The needy and greedy zamindars needed the planters as much as the planters needed the zamindari rights. So far as the Bettiah

19. Proceedings of Government of India, Home Department (Public), August 1868, Nos 84-85 A; and Ibid, January 1869, Nos 108-14 A.

20. Ibid, January 1869, Nos 108-14 A. On 21 March 1882 the government of India wrote to the secretary of state for India about Champaran: "The planters, looking to indigo for their profits paid high rents to the large landholders under whom they held; and the landholders, in order to keep up their rents, lent the whole weight of their influence to the cause of the planters" *Selections from Papers Relating to the Bengal Tenancy Act 1885*, p 6.

raj was concerned, the collector summed up the situation in the following words in 1868: "The Bettiah estate has been for a long time in an involved condition. The maharaja himself has been for years addicted to drinking and careless of his worldly affairs, and hence all kinds of adventurers and good-for-nothing have been living on the estate, and have been squandering the income either directly themselves or indirectly by inveigling the rajah... Things had gone from bad to worse till enormous debts had been incurred, and it became necessary to turn in every direction for money.

"At this juncture, the European planter appeared on the stage, ready and desirous of giving higher rents, and even making long cash advances... Accordingly numbers of mahals were thus leased to Europeans."[21]

Later, as already stated, towards the end of the nineteenth century, European planters acquired *mukarrari* tenures also. Their entry gradually relegated the Indian tenureholders into a position of less significance. Whatever information is available relates only to the Bettiah raj but it gives an idea of what could have happened to other zamindaris.

In 1898 the rent of the Bettiah raj villages leased to Indian thikadars amounted to Rs 4,68,210-8-4½ which came down to Rs 1,14,115-6-1 in 1917. In percentage terms the contribution of the Indians to the total thikadari rental declined from 47.79 in 1898 to 11.1 in 1917.

Out of the total area of 11,71,473.32 acres of the Bettiah raj leased to the tenureholders in 1917, 10,71,042.76 acres was held by the European planters and only 1,00,420.56 acres was by the Indians. Planters held 5,77,790.74 acres under thika and 4,93,262.02 acres under mukarrari tenures.[22]

Though Indian thikadars were more numerous than the European ones, so far as the thikadari rental was concerned, most of

21. Proceedings of Government of India, Home Department (Public), January 1869, Nos 108-14 A.

22. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), November 1917, Nos 57-59 A.

them paid petty amounts to the raj. In 1917, 36 European thikadars had a total thikadari rental of Rs 9,21,886-13-4 and only 7 of them had a thikadari rental of less than Rs 10,000 each. 166 Indian thikadars had only Rs 1,14,115-6-1 as total thikadari rental and only 4 of them were in the rental group of Rs 500--Rs 10,000. More than half of them had rentals below Rs 250.

Table No. 3.4

INDIAN THIKADARS OF THE BETTIAH RAJ (1917) ACCORDING TO RENTAL GROUPS

Rental groups	*Number of Indian thikadars*	*Percentage of the total number of Indian thikadars (app)*
Up to Rs 50	44	27
Rs 51-100	22	13
Rs 101-250	27	17
Rs 251-500	20	12
Rs 501-1,000	25	15
Rs 1001-5,000	24	14
Rs 5001-10,000	4	2
Total	166	100

Source: Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue) November 1917, Nos 57-59 A.

During 1892-99 planters held 9,57,405 acres or 46.03 per cent of the total area of the district as proprietors, mukarraridars and thikadars in the Bettiah subdivision. In the Motihari subdivision they held 5,73,009 acres or 58.55 per cent of the total area while in the Bettiah subdivision they had only 3,84,306 acres or slightly more than one-third (34.90 per cent) under them. This was because there was a lack of feeder roads in the Bettiah subdivision besides the climate being malarial.

As katkinadars or undertenureholders, they did not have much land under them. But there is one fact worth noting. As katkinadars planters held 4.87 per cent land in the Bettiah subdivision while they held just 1.21 per cent in the Motihari subdivision. The percentage of katkina holding was highest in the

Table No 3.5

ZAMINDARI RIGHTS HELD BY THE EUROPEAN PLANTERS IN CHAMPARAN (1892-99)

Thana	*Total area of thana in acres*	*Area held by planters*											
		As proprietor		*As permanent tenureholder*		*As temporary tenureholder*		*Total*		*As under-tenureholder*		*Total as landlord*	
		Area acres	*% to the total area*	*Area acres*	*% to the total area*	*Area acres*	*% to the total area*	*Area acres*	*% to the total area*	*Area acres*	*% to the total area*	*Area acres*	*% to the total area*
Bagaha	3,96,272	—	—	17,709	4.47	96,184	24.27	1,13,893	28.74	8,619	2.17	1,22,512	30.91
Shikarpur	3,54,558	—	—	6,790	1.91	62,065	17.51	68,885	19.42	34,716	9.79	1,03,571	29.21
Bettiah	3,50,139	—	—	79,229	22.63	68,702	19.62	1,47,931	42.25	10,292	2.93	1,58,223	45.18
Bettiah subdivision total	11,00,969	—	—	1,03,728	9.42	2,26,951	20.61	3,30,679	30.03	53,627	4.87	3,84,306	34.90
Adapur	1,43,401	—	—	3,981	2.77	44,110	30.76	48,091	33.53	4,691	3.27	52,782	36.80
Dhaka	2,14,528	2,240	1.05	13,557	6.31	1,17,320	54.69	1,33,117	61.00	2,130	0.99	1,35,247	63.04
Motihari	1,85,180	732	0.39	73,506	39.70	38,369	20.72	1,12,607	60.42	3,790	2.04	1,16,397	62.85
Gobind-ganj	1,82,689	—	—	80,253	43.93	34,370	18.81	1,14,623	62.74	1,077	0.59	1,15,700	63.33
Kesaria	1,74,842	4,374	2.50	79,093	45.24	44,110	25.23	1,27,577	70.47	123	0.07	1,27,700	73.04
Madhuban	78,206	3,190	4.08	2,970	3.80	19,063	24.37	25,223	28.17	49	0.06	25,272	32.31
Motihari subdivision total	9,78,846	10,536	1.08	2,53,360	25.89	2,97,342	30.37	5,61,238	56.26	11,860	1.21	5,73,098	58.55
District total	20,79,815	10,536	0.51	3,57,088	17.17	5,24,293	25.20	8,91,917	42.37	65,487	3.15	9,57,405	46.03

Source: Stevenson-Moore, *Final Report on Champaran,* p 149.

Shikarpur thana. In the Bettiah subdivision in general and Shikarpur thana in particular, the Indian thikadars persisted. This was because of two factors. First, as mentioned above, the lack of facilities of transport and communications and bad climate discouraged the planters from acquiring thika tenures in a big way. Second, in a number of cases it was difficult for the planters to displace the Indian thikadars because most of them were members of the court of zamindars and held bekh birts. Thus whenever the planters needed land they had to become undertenureholders.

Their preference for the Motihari subdivision was reflected in the fact that they held more land in the Motihari subdivision than in the Bettiah subdivision. They had only 9.42 per cent of the total area of the Bettiah subdivision under their mukarrari tenure while in the other subdivision they held more than one-fourth of the area (25.89 per cent) as mukarraridars.

Planters held a very insignificant amount of land (0.51 per cent of the total area of the district) as proprietors. They did not have any zamindari of their own in the Bettiah subdivision because there was hardly any petty zamindar there whose zamindari could be bought by them. The entire subdivision was under the Bettiah and the Ramnagar zamindaris. The petty zamindars were mainly in the Motihari subdivision where planters could buy zamindaris when they came up for sale because of the sunset law or any other factor.

Another notable fact is that the planters did not get thikadari or mukarrari leases from petty zamindars because they did not have any problem of managing their estates nor were they under pressure to seek financial help from planters on account of heavy debts. Planters also were not keen on wooing the petty zamindars because the area under them was very small and their zamindaris were not in compact blocks.

As said earlier, thikadari system brought increasing income to zamindars and saved them from botheration and troubles of management of their estates. They had plenty of leisure to enjoy. Whenever a lease was renewed the thikadari rental was increased without any consideration to the raiyati jama. In the

Bettiah zamindari up to 1899 leases were renewed only after an arbitrary increase of 12.5 per cent over the previous thikadari rental, irrespective of the consideration whether villages leased to the thikadars would bear the increased rental.[23] If the leaseholder did not agree to this condition, the tenure was given to the highest bidder at the public auction.

The Bettiah raj, as reported by J. A. Bourdillon, commissioner of the Patna division to the secretary, board of revenue, took advantage of the fact that the planters, after spending large sums of money on cultivation of indigo and the manufacture of the dye could not afford to give up their thika tenures. Thus "in many villages held by Europeans the rent payable to the raj has been by this means screwed up to much more than could be possibly collected from the tenants, an enhancement of whose rents was forbidden in the lease."[24]

However the Indian thikadars were treated with leniency keeping in view their lower capacity to pay because they did not have any interest in indigo or any other crop to give them enough money to make up the loss, if any, on account of thika rentals and yet to make a profit.[25]

Tenureholders were given pattas which transferred all zamindari rights to them except saltpetre mahal, land held as jagir, birt and mukarrari. Each one of them had to deposit a specific amount as security with the zamindar on which no interest was allowed. This sum was credited to him as rent due on the last instalment of the last year of the term or the year in which the lease was cancelled for some reason or the other. A tenureholder executed a kabuliyat after receiving the patta. The exchange of patta and kabuliyat was necessary, without which the lease did not have any legal validity. The patta was granted on condition that the tenureholder, according to the terms stated in it, might enjoy the income of the zamindari under lease provided he maintained raiyats in peace and paid the rent to the

23. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), November 1917, Nos 57-59 A.

24. Proceedings of Government of Bengal, Revenue Department (Land Revenue), December 1899, Nos 1-3.

25. Ibid.

zamindar without default. In case these conditions were violated, the lease was liable to cancellation.[26]

Thus tenureholders were to all intents and purposes, zamindars of the villages leased to them. In theory they had to collect rents on the basis of rent-rolls provided by their lessors and the difference between the amount of the raiyati rental and the thikadari or mukarrari rental was their profit. They were not authorised to enhance rents or eject occupancy raiyats. However in practice these restrictions on tenureholders were meaningless. Since there was no deduction from the rentals of tenureholders to provide for the cost of collection and to allow a decent margin of remuneration to them, they could not refrain from realising illegal cesses and adopting other means to earn a handsome profit.

In practice tenureholders were zamindars but without any permanent stake in the zamindari under them. Their main interest was to squeeze as much as possible. Zamindars never intervened even when complaints of ill-treatment and extortion were received from raiyats against the tenureholders, though they had theoretically reserved the right to do so.

In this situation raiyats were the worst sufferers. The Indian famine commission was perfectly right when it observed: "Nothing could be further from the letter and spirit of engagements under permanent settlement than that the landlord should throw off all the responsibilities towards his tenants, and constitute himself a mere annuitant leaving another person having no permanent connection with the estate or the tenants on it, to wring the highest possible rental from them."[27]

The implications of the thikadari system for the rights and liabilities of the raiyats could not have been unknown to the zamindars when they had allowed no margin or insufficient margin of profit to thikadars. A study of 915 villages of the

26. Proceedings of Government of Bengal, Revenue Department (Land Revenue), November 1899, Nos 7-8; Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), August 1919, Nos 12-16 B.

27. *The Report of the Indian Famine Commission*, Part II, p 118.

Bettiah zamindari leased to thikadars in 1899 shows that the thikadars paid Rs 9,79,573 to the raj while raiyats paid them only Rs 8,45,434-7-3.[28] Thus the thikadars paid over Rs 1 lakh more to the raj than the raiyati rental of the thika villages. If the cost of collection and the management of the thika village was taken into consideration the losses of the thikadars would have been much more. Generally 10 per cent of the gross raiyati rental was regarded as the cost of collection of rents and management of tenures by the government.[29]

The situation in the Ramnagar zamindari was much worse. The zamindar did not care whether the thikadars got any margin to cover their expenses on collection of rents and to provide them a remuneration. According to the data given by the revisional survey and settlement officer in 24 *thika* villages the amount of rent received from tenants was Rs 21,237 and the amount paid to the raj was Rs 23,612. Hence a loss of Rs 2375 every year for the thikadar.[30]

In this situation, how did the thikadars compensate themselves? They adopted a number of devices. In most cases they raised rents of raiyats either by increasing the rent-rate or settling fresh land with them. Salami and abwabs were realised from them for which no receipts were granted. Every non-occupancy raiyat had to pay salami at the time of the renewal of his tenancy.

There were two additional sources of income, viz, profit from indigo and income from zirat land. Planter-thikadars forced the raiyats to grow indigo under the assamiwar system and dictated their own terms and conditions to them. As already mentioned, every raiyat had to grow indigo on a specified portion of his holding and deliver it to them at rates fixed by them. These

28. Bettiah Raj Records.

29. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), November 1917, Nos 57-59 A.

30. Letter from J. A. Sweeney, settlement officer, north Bihar, to the district officer Champaran, dated 2 July 1917 in, Ibid, January 1918, No 12 A.

rates were seldom remunerative to raiyats. This way planter-thikadars tried to appropriate the maximum possible portion of the surplus product.

Zirat land was cultivated by planters or given on high rents to raiyats. This source of income was open to both planter and nonplanter thikadars.

Some of the thikadars resorted to moneylending, rice-milling and sugar production. With zamindari rights in their hands they could realise the debts and charge the maximum possible rates of interest without much difficulty. No tenant dared refuse the repayment of debts for fear of troubles from the thikadars. Thus zamindari rights were used by the thikadars to guarantee the security of debts. Rice-milling and sugar production were undertaken only by Europeans. The Indian thikadars did not possess the knowhow and necessary capital to do so.

Thikadars thus had to explore and tap other sources of revenue. For example, the Madhubani planter every year earned only Rs 5000 as legal remuneration but his income from painkharcha (an abwab) was Rs 13,000. Similarly the Sikta planter got Rs 2600 as legal remuneration but the income from zirat and painkharcha amounted to Rs 4500 and Rs 9500 respectively. For the Hardia planter the legal allowance was Rs 2800 but the income from other sources came to Rs 19,500.[31]

The thikadar of the Ramnagar raj who, as we said a little while ago, suffered a loss of Rs 2375 on account of thika tenures, not only made up the loss but earned a handsome profit from other sources. He had 318 acres of zirat which yielded him a net income of Rs 6360. In addition to it he exacted Rs 12,664 as abwabs which increased his net income to Rs 16,649.[32]

The only real check on the extortion from raiyats was their deserting their landholding and fleeing the villages and the difficulty in finding their substitutes.

The thikadari system deprived them of their surplus produce because of extortions from raiyats in various forms and resulted in the lack of capital formation and investment in agriculture

31. Ibid.
32. Ibid.

by raiyats. In a number of cases the heavy demands by thikadars involved the raiyats in debts and threw them into the clutches of moneylenders. Wherever the thikadar was also a moneylender, the authority of the two when blended together seemed formidable.

Even if raiyats saved and had the capacity to invest they had no incentive to do so, because if productivity of land increased the amounts of salami and abwabs were also increased and there was very little increase in their share of production.[33]

The thikadari system proved to be a hurdle in the way of acquiring occupancy rights by raiyats. As W. W. Hunter observed: "Hardly any land in Champaran is held by tenants with a right to occupancy under act X of 1859. The principal cause of this is the almost universal custom of letting villages in farm for short terms. Very few landholders let their lands to the raiyats direct, but farm them out to thikadars (leaseholders) for five or seven years. When the term expires, the landlord as a rule demands an enhanced rental from the leaseholder and the increase falls ultimately on the raiyats, either in the shape of a higher rent per acre or by addition of waste lands to their cultivation for which rent is charged, or where there is no waste by exacting rent from some fictitious land commonly known as kaghazi zamin, i.e. paper land. It thus happens that only a few raiyats are able to hold their lands uninterruptedly for twelve years at the same rate. Only raiyats of a superior class receive pattas which when given are generally the pretext for exacting salamis."[34] Since on the expiry of the period of the lease the nonoccupancy raiyats had to get from the incoming thikadar renewal for the period of his thikadari, the tenancy rights were coterminus with the period of thika tenure, which was usually less than 12 years. It was thus difficult for a nonoccupancy raiyat to hold any particular piece of land for 12 continuous years and because of this the question of his acquiring the occupancy rights did not arise. The absence of occupancy

33. Proceedings of Government of India, Home Department (Public), July 1869, Nos 131-32, pp 4303-6.

34. Hunter, *A Statistical Account of Bengal,* Vol XIII, p 282.

rights always made the future possession of his holding uncertain and he could not resist the illegal demands of the thikadar. In this atmosphere of uncertainty and nonenjoyment of a fair share of the produce, he hardly had any incentive and resources to invest in his land.

Another very serious consequence of the management of zamindaris through tenureholders was the absence of proper zamindari accounts and papers. No tenureholder ever cared to maintain the accounts and papers properly and up-to-date. Patwaris appointed by zamindars at the instance of the government were never allowed to function by the thikadars. They rarely supplied their jamabandi papers to the registered patwaris. The prime reason for noncooperation on the part of the thikadars was their attempt to conceal the exact amount of income derived from thika villages from the zamindars. Thus there were no authentic and detailed accounts and records available nor were rent-receipts granted particularly before the first survey and settlement operations (1892-99) and, as a result, raiyats could not prove their 12 year continuous possession over any particular piece of land.

The government admitted this fact as early as 1876-77 when it observed: "There can be no doubt whatever that the combined influence of zamindars and ticcadars has ground the raiyats of some parts of Behar down to a state of depression and misery. The majority of them probably do, as a matter of fact, possess rights of occupancy, but owing to change of plots and subjection of the putwarees to the zamindars, they are unable to produce legal proof of this."[35]

There is no detailed information available to throw any light on the disbursement of the income earned by tenureholders. As has been already mentioned, among the Indian tenureholders there were only a few who had substantial incomes from their tenures. Those who did derive substantial incomes like the Shikarpur family of Diwanji, the Bilaspur family of Rais and the Dumeria family of Shahis went in for acquiring landed

35. *The Report on the Administration of Bengal Presidency for 1876-77*, p 7.

property. However neither Indian nor European tenureholders spent money on agricultural improvement or on providing facilities to tenants except during the first half of the nineteenth century when a few of them helped the extension of cultivation and clearance of jungles and reclamation of waste lands. One main reason for this was that the tenureholders did not have any long-term or permanent interest in their tenures. Moreover the Indian tenureholders generally belonged to the upper castes who never took any active interest or participated in productive activities. They were more interested in securing zamindari rights in order to advance themselves in social hierarchy. Besides thika tenures were considered safe avenue for investment by moneylenders and traders who could easily corner the marketable surplus of the tenants. That is why the traders and moneylenders of Motihari and Bettiah went in for thika tenures.

European tenureholders who had substantial income from tenures and indigo never cared to extend the area under their zirat and invest in irrigation facilities, improvement of land and application of scientific techniques and methods of agriculture. They always preferred assamiwar system of indigo cultivation. Thus instead of investment in capitalist farming they tried to have advantage of the existing tenurial arrangement to appropriate forcibly as large a portion of the surplus product of tenants as they could.

Watt, relying on the published data by the director of land records and agriculture, Bengal, framed the budget of an indigo factory in Bihar and came to the conclusion that it earned 100 per cent profit on its working capital.[36] The profit earned by a

36. The budget of a factory growing indigo on 1500 acres of land was prepared as follows: The rent payable to the zamindar was Rs 69,000, but the amount received from raiyats by the factory, in its capacity as a leaseholder, was Rs 70,000 so that the rent was more than the amount paid by the tenants. Nearly Rs 1,20,000 was required under various items for working expenses, including establishment. The actual yield of the dye was 1150 maunds which sold for an average price of Rs 200 per maund, thus bringing in Rs 2,30,000. The factory gave almost cent per cent profit on its working capital. The cost of the raw material was calculated to be only 15 per cent of the total cost of production of the dye

planter was seldom ploughed back. It was regularly transferred to Europe. There were "frequent retirements from the country of planters who have made their fortunes".[37] The junior partner who took the place of the retiring senior partner was eager to pay off the borrowed money with which he had bought his share and make his own fortune as quickly as possible.[38]

On the assumption of the charge of the Bettiah raj by the court of wards the question of the intermediary tenures came up before it. Though theoretically speaking it was in favour of the abolition of the system of farming out portions of the zamindari to tenureholders, it found it difficult to do so in practice for various reasons. First, the data gathered from 915 villages showed that bringing them under kham management would result in a loss of revenue to the raj. R. W. Carlyle, secretary to the board of revenue, wrote to the revenue secretary of the government of Bengal: "I am to submit herewith ... a statement showing the rent received by temporary thikadars and the rent paid by them to the estate. It will be seen that the thikadars pay over a lakh more to the estate than the gross rental secured to them by the settlement. A part of the loss is made up by the malik's zirat in their possession:

Number of thika villages	*Amount paid by the raiyats to the thikadar* Rs.—As—P	*Amount paid by thikadar to the estate* Rs.—As—P
915	8,45,434—7—3	9,79,573—0—0

Thus the result of direct management would be a loss of revenue to the estate. Not only would it mean a direct loss of revenue to the estate but it would also materially jeopardise its position at any time of stress such as occurred during the famine ..."[39]

37. Annual General Administration Report of the Commissioner of the Patna Division for 1876-77, para 100.

38. Wilson, *History of Behar Indigo Factories, etc.*, pp 72-87.

39. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1899, Nos. 127-29.

Second, in the case of nonrenewal of leases, the raj had to refund the security money deposited by thikadars and by the end of September 1900, Rs 1,22,987 had to be refunded. The raj was not in a position to pay this sum out of its current receipts or cash in hand and the only way out to get this amount was to incur more debts and this course of action was not advisable. The court of wards was trying to wipe out the existing debts.

Third, the nonrenewal of leases would have entailed some immediate expenditure on the establishment of the machinery for collection of rent and maintenance of records. Here also the main constraint was the financial position of the raj.

Fourth, the regularity of the payment of thikadari rental and salami at the time of the renewal of leases were of great attraction for the raj.

Last, the nonrenewal of thika leases would have caused grave dislocation to indigo cultivation because without zamindari rights the European thikadars would not have been in a position to compel the raiyats to grow indigo under assamiwar system.[40]

Thus, in spite of the fact that the wards' manual forbade the thika leases and stressed the need for the protection of raiyats and laid down in clearcut terms that no one should have leases to force upon raiyats the cultivation of any particular crop such as indigo, the board of revenue maintained: "The soundest policy under the special circumstances is to refuse to renew leases which have been abused, to let any reasonable safeguards to be laid down and to give farming leases for short period, so that misconduct can be punished by forfeitures . . ."[41] But the board of revenue nowhere made it clear what it meant by "the abuse of leases" and "misconduct". In the case of the Indian thikadars also the government pleaded for the maintenance of the status quo: "As regards the native thikadars, it is not necessary to imagine that they have any wish to treat their tenants otherwise than well; but as a matter of fact, circumstances are

40. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), June 1929, Nos 122-26 B.

41. Proceedings of Government of Bengal, Revenue Department (Land Revenue), September 1899, Nos. 127-29.

against them should they wish to be harsh; land is plentiful, and Nepal conveniently close, and a landlord cannot afford to tyrannise over his tenants or they will surrender their holdings and be gone."[42]

On the above considerations the court of wards continued the system of intermediary tenures without any attempt at introducing reforms. Thika leases were renewed for a period of 7 to 9 or in some cases 17 years. No commission was allowed to the thikadars and there was no adjustment as a result of new settlements, abandonement of holdings, alluvion and diluvion. The renewal of thika leases was discussed in 1909 in the context of the declining fortunes of natural dye made from indigo as a result of competition from synthetic dye. The commissioner wrote: "... in the Bettiah raj the system of khas management will have to be very largely resorted to, chiefly because I do not think we shall really be able to control thikadars who, owing to the dying state of indigo, are faced by selfinterest to have recourse by various means to measures which are not for the good of the raiyats and are not able to live on the commission given, though that may be 15 per cent of the demand. Khas management would be more expensive than the thikadars system, but properly supervised, would be much better for the tenantry."[43]

However the board of revenue took a different line. It was not in favour of doing away with the system of intermediary tenures altogether; rather it thought it could be reformed and made workable. The board of revenue directed that the tenures be renewed if the tenureholders agreed to comply with certain definite conditions. The conditions were: "The thikadar should explicitly agree that he will not take an agreement (satta) from a tenant for the cultivation of any crops except indigo, and a clause to that effect should be inserted in all new leases. A clause should be inserted in the lease empowering the lessor to cancel the leases in cases where it is found that the lessee has taken sattas for crops other than indigo. No general direction can be

42. Ibid.

43. Proceedings of Government of Bengal, Revenue Department (Land Revenue), April 1911, Nos 20-24 A.

given that leases shall be for 15 years it shall be open to the commissioner to grant a lease for 15 years when he considers that the circumstances of the case justify him in so doing. Whatever may be the period for which the lease is given, the sattas taken by the lessees may be so drawn up that they expire not later than the termination of the lease, and there should be a condition in the leases empowering the lessor to cancel the lease in the event of this condition being broken by the lessee."[44]

The above conditions proposed by the board of revenue were little more than eyewash. Except a few thikadars, others were not interested in taking sattas for crops other than indigo and the sattas were generally coterminus with thika tenures.

For the time being, it was decided that the leases would be renewed yearly till the revisional survey and settlement operations were completed.

In 1911-12 a commission at the uniform rate of 10 per cent of the raiyati jama and sairat was for the first time allowed to thikadars, but even then they suffered a loss. A survey of thika tenures held by 19 planters showed that they suffered a loss of about 5 per cent of the total collection of the raiyati rental.[45]

44. Ibid.

45. The following is the abstract of data collected from 19 planters about their thika leases:

Total raiyati jama	Rs	6,73,256	
Total thikadari jama	Rs	5,99,206	
Gross income of planters	Rs	74,050	about 11 per cent of the raiyati jama
Cost of collection and management:			
Establishment	Rs	88,405	
Law charges	Rs	7,632	
Remissions	Rs	6,597	
Stationery and miscellaneous	Rs	4,247	
Total	Rs	1,06,881	about 16 per cent of the raiyati jama
Net loss	Rs	32,831	about 5 per cent of the raiyati jama

The commission was thus raised to 15 per cent and the leases were allowed for 7 years which meant the reversal of the earlier decision of yearly renewal.

On the completion of the revisional survey and settlement operations, the commission to the thikadars was increased to 20 per cent in 1919. Besides they were allowed benefits of rent enhancements as a result of mutations and new settlements. It was presumed that the higher the commission the less will be the incidence of abwabs on raiyats.[46]

By that time indigo plantation had become almost insignificant and there was no hope of its revival. This had resulted in the loss of interest of planters in thika and mukarrari tenures. Between 1924 and 1928 Turkaulia, Seeraha, Kuria, Pipra, Motihari, Jallaha, Rajpur and Bairia planters surrendered their leases.

Even after the decline of indigo, a number of planters could have perhaps remained and thought of doing some other business but the noncooperation movement started by the Congress created difficulties in rent collection. In the areas under Motihari, Jallaha, Pipra and Turkaulia planters the arrears amounted to about 50 per cent of the current rent demands.[47] In spite of considerable extension of the certificate procedure difficulties could not be surmounted.

By 1925-26 the sterling loan was fully repaid and this resulted in an increase in the revenue of the Bettiah raj by Rs 4,50,000

Note: While calculating the establishment charges the total amount paid to European managers and assistants was divided equally between zamindari and indigo factory management, and then the zamindari share was divided proportionally between thika and mukarrari collections.

Source: Proceedings of Government of Bengal, Revenue Department (Land Revenue), December 1911, Nos 9-11 A.

46. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), June 1929, Nos 122-126 B; and, Ibid, No 7 A, Deposit, January 1919 (The Bengal Settlement Manual 1908, correction slip 42).

47. Ibid, June 1921, Nos 239-49 B; December 1923, Nos 30-32 A, September 1919, Nos 33-92 A; and March 1933, Nos 9-11 B; and Proceedings of Government of Bihar, Revenue Department (Land Revenue), February 1942, Nos 659-78 B.

per annum. It enabled it to buy back the mukarrari tenures from the planters wishing to leave the district. By 1940 all mukarrari tenures were acquired by the raj.

With complete disappearance of indigo cultivation and prohibition of abwabs and the cost of collection and management rising, and the decision of the court of wards not to increase the commission, thika tenures became financially unattractive.[48]

By 1938 there were 45 Indian and 19 European thikadars and their thika rentals came to Rs 81,428 and Rs 5,38,591. In that year the first Congress ministry in Bihar decided to discourage thika leases and take them over wherever possible. The decisions of the government were as follows:

"Government accepts the . . . proposal to take over such uncollected rents as are not barred by limitation and credit them to the instalments due to the Bettiah raj by the thikadars for such amount less 5 per cent.

"Government approves of the . . . proposal for the estate's purchasing at a fair and reasonable price the assets, such as mukarraris, bungalows, etc., of those planters who desire to sell them.

"As regards the settlement of zirat lands with the thikadars government . . . cannot but recognise that some of the thikadars might have expended capital on the development of lands in their cultivation which were not as valuable as they were first acquired as they are now, and that undue hardship might be caused to some of the thikadars if they were not allowed to keep land which is in their own cultivating possession . . . each such case should be considered on its merits and settlement of the land be made in those cases which involve palpable hardship. In cases where the decision is against settlement it should be open to the thikadar concerned to give back the mukarraris, etc., to the raj on payment of compensation . . ."[49]

48. In spite of the financial difficulties of the thikadars, when thika policy was reviewed in 1929 the government did not increase the commission. See Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), June 1929, Nos 122-26 B; October 1929, Nos 63-65 B; and March 1932, Nos 225-26 B.

49. Proceedings of Government of Bihar, Revenue Department (Land Revenue), February 1940, Nos 1-3 A.

By 1947 thikadari system completely disappeared in the district and direct relation between the big zamindars and their tenants was restored.

Before we close this section, it must be stressed that during the management of the Bettiah raj by the court of wards, the practice of increasing the thikadari rental arbitrarily on renewal was stopped.

From the discussion a few conclusions can be drawn. First, except in the case of indigo planters the intermediary tenureholders were just a proliferation of the parasitical class which seldom participated in the production process and only shared in the surplus product of tenants. Second, the distribution of the surplus product among zamindars, tenureholders, undertenureholders, etc. acted as an impediment in the way of saving and capital accumulation. Third, the intermediary tenures accentuated the negative features of absenteeism. Zamindars became mere annuitants. The system of intermediary tenures was a great obstacle in the way of tenants' acquisition of occupancy rights. Fourth, intermediary tenureholders did not make any investment in agriculture or any other trade. Planters remitted most of their profits to their home countries and rapid change in the ownership of indigo factories was motivated by the desire of getting rich quickly. Planters had made some investment in their zirats and bungalows, etc. However no expenditure was incurred in providing any facilities for increasing agricultural production to the tenants. The main reason for this attitude was uncertainty about future and the policy of the zamindars to increase thikadari rentals arbitrarily. Last, the fact that the zamindars did not allow any margin to the thikadars to meet the cost of collection of rents and to provide a decent remuneration, thikadars were prompted to realise abwabs and resort to assamiwar cultivation of indigo on terms and conditions which were uneconomical to the tenants. This led to increasing pressure on tenants who were seldom allowed to have more than their bare subsistence.

Chapter Four

COMMERCIAL AGRICULTURE IN CHAMPARAN

The growth of commercial agriculture was an important feature of Champaran during the period of permanent settlement. Among the commercial crops which came to be grown the most important ones were poppy, indigo and sugarcane. Tobacco and jute were also grown but they were not very significant as they never occupied more than 0.17 and 0.48 per cent of the net cropped area ar.y time during 1857-1947. Moreover most of them were locally consumed. For example jute was used for rope-making by the peasants and tobacco was chewed by the local population. That is why we shall concentrate our attention mainly on poppy, indigo and sugarcane.

Poppy, indigo and sugarcane cultivation had certain common features. First, none of them could be locally consumed by the growers or the local population in a substantial quantity. Further, poppy and indigo were not consumed by the local population at all. They were produced in response not to internal but to external demand. Second, the production of all the three crops was organised by outside agencies. In the case of poppy it was the goverment which organised and regulated the production while in the case of indigo and sugarcane the foreign and Indian entrepreneurs played the role of organisers. Thus the growers did not have any direct contact with the buyers or the market in the case of poppy and indigo. Third, advances were given in all the three cases to meet the initial expenses of cultivation and to act as inducements.

There were some general reasons for the growth of commercial agriculture in Champaran. First, the introduction

of the permanent settlement made the system of cash rents prevalent. By 1919 the bhowlee (produce-rent) area was only 4.6 per cent of the total revenue-paying area of the district. The peasants naturally favoured such crops which could be easily marketed and which brought cash for the payment of rents and for buying items like salt, cloth, medicines, etc.

Second, the opening of the Suez Canal, the faster growth of steam navigation, facilitating quicker movements of wares particularly between north Bihar and Calcutta, development of transport and communications in general and building of railways in Champaran connecting it with Calcutta on the one hand and Lucknow and Delhi on the other—all these factors made the marketing of commercial crops possible.

The first important commercial crop to develop in the district was poppy. Its cultivation in Bihar, particularly Champaran, goes back to the late Mughal period, but it was on a very small scale. It came to occupy an important place in the economy of the district only during the nineteenth century.[1]

The importance of opium increased with the development of trade relations among Great Britain, India and China. In India opium was produced mainly for sale in China. As the demand in China grew the cultivation of poppy increased here. Another distinctive feature of the system was the establishment of the government monopoly control over the cultivation of poppy and the production and sale of opium.

The monopoly control by the government meant the following things : the peasant could cultivate poppy only

1. *Report of A Commission Appointed by the Government of India To Enquire into the Working of the Opium Department in Bengal and the North-Western Provinces,* pp 1-2. (Hereinafter referred to as the *Report of the Opium Commission*). Also see: Chowdhury, *Growth of Commercial Agriculture in Bengal* (1757-1900), Vol I, pp 3, 6.

for sale to the government; poppy grown in violation of this condition was destroyed; whatever quantity of this crop the peasant could grow was on the basis of the advances from the government. It implied a definite obligation on the part of a peasant to deliver a given quantity of poppy, and any illicit sale exposed him to deterrent punishment.

The relation between the government and the growers was governed by regulations VI of 1799 and XIII of 1816 and act XIII of 1857. Terms and conditions specifying the area to be cultivated, the price to be paid and the amount of advances made were clearly set out in the agreement with every raiyat desirous of cultivating poppy. A raiyat who failed to cultivate the area specified in the agreement was liable to a penalty of three times the amount advanced. Likewise the wilful failure to deliver the estimated amount of poppy and the adulteration of any type were declared serious offences.

Raiyats who grew poppy derived a number of advantages. First, poppy afforded a very good source of cash because whatever was produced by the raiyat under the agreement was taken over by the government on prices fixed in advance. Thus poppy was a cash crop with a ready market and without any risk.

Second, a poppy-grower was regarded as a sarkari raiyat (government tenant). He was to a great extent free from the illegal demands (like abwabs and begar) by zamindars upon his produce and labour. His landholding could not be attached for nonpayment of rent. The zamindar had to approach the government for the recovery of rent.

Third, every poppy-grower got an advance from the government to make initial investment and dig wells for irrigation. These loans were interest-free. This way the growth of agriculture received a fillip and other crops also benefited.

Fourth, poppy was not an exhaustive crop, a crop of

maize could precede and a crop of cheena (panicum miliaceum) could follow it. Later on kusum (a flower that yielded a yellow dye) was grown with poppy at no extra cost and this increased the profitability of the land devoted to poppy.[2]

Poppy was so popular that Worsley, a former collector of the district, wrote around 1882-83 : "The soil here is particularly suited to poppy cultivation. In a bumper year the gross outturn of the district would not be less than 10,000 to 12,000 maunds of opium, which would represent a sum of from 22 to 26 lakhs of rupees paid over by government to the agricultural class—a sum sufficient to pay 50 per cent of the total rental of the district on the assumption that the landholders' levy as cesses came to 50 per cent in addition to the recorded rent."[3]

Table 4.1 shows the total amount of money including advances received by the peasants from 1870-71 to 1908-9

Table No 4.1

MONEY RECEIVED BY POPPYGROWERS OF CHAMPARAN (1870-71 TO 1908-9)

Year	Amount of money received (Rs-As-P)	Year	Amount of money received (Rs-As-P)
(1)	(2)	(3)	(4)
1870-71	16,10,975-13-11	1889-90	15,11,287-9-7
1871-72	20,92,742- 6- 9	1890-91	NA
1872-73	12,60,576- 2- 9	1891-92	NA
1873-74	16,55,684- 9- 0	1892-93	NA
1874-75	24,41,533- 7- 7	1893-94	9,37,273-4-5
1875-76	21,93,095-12-11	1894-95	NA
1876-77	28,24,357-10- 3	1895-96	11,37,813-4-4
1877-78	6,61,521- 6- 6	1896-97	NA

2. Chowdhury, Benoy K., "Agrarian Economy and Agrarian Relations in Bengal (1859-1885)", in Sinha, (edt), *The History of Bengal* (1757-1905), pp 247, 263.

3. Annual General Administration Report, Patna Division, for the year 1883-84.

(1)	(2)	(3)	(4)
1878-79	9,20,034-15- 2	1897-98	NA
1879-80	20,35,416-15- 7	1898-99	NA
1880-81	13,59,647- 6- 6	1899-1900	NA
1881-82	18,55,017-15-10	1900-1901	NA
1882-83	7,36,072- 8- 0	1901-02	NA
1883-84	15,95,597-12- 2	1902-03	NA
1884-85	NA	1903-04	9,59,703-0-0
1885-86	NA	1904-05	15,70,645-0-0
1886-87	20,49,002- 9- 3	1905-06	12,86,165-0-0
1887-88	NA	1906-07	8,42,159-0-0
		1907-08	5,13,793-0-0
1888-89	11,61,914-11- 2	1908-09	4,39,193-0-0

Source : *Reports on the Administration of the Opium Department* from 1870-71 to 1908-9.

The number of peasant households engaged in poppy cultivation varied from 1,33,024 in 1881-82 and 1,38,127 in 1882-83 to 1,03,067 in 1905-06 and 67,232 in 1908-09.[4] According to one estimate around 25 per cent of the peasant households were engaged in poppy cultivation during the 1880s.[5]

Though detailed yearly figures for the money advanced for providing irrigation facilities are not available, we get a rough idea from whatever information is provided by the government records. In 1870-71 Rs 31,054 was advanced for the construction of new wells and in 1888-89 the sum for this purpose came to Rs 7036.[6] Apparently these figures may not seem very impressive but when one considers the fact that in Champaran one can easily get subsoil water by digging just 4 to 5 metres and the cost of digging a well did not exceed Rs 40 during the last century, one may get some idea of the additional irrigation potentiality

4. Motihari Collectorate Papers.
5. Ibid.
6. Ibid.

created. In digging wells peasants do not generally employ paid labourers and once a well is dug it continues to work for at least 3 years without any extra expenditure on its cleaning and deepening. One well can on an average irrigate 4 acres of land.

According to the estimates made by Stevenson-Moore, opium accounted for more than 5 per cent of the total gross value of agricultural production per year during the last decade of the nineteenth century. The average value of opium produced in the district in any year during the last decade of the last century came to Rs 17,68,602 while the average gross value of total agricultural production amounted to Rs 3,52,68,908.[7]

How important the poppy cultivation was in the eyes of the peasants is clear from the following observation of Hem Chandra Chatterji, assistant settlement officer in Champaran : "With numerous rivers in the tract the fields could have been with little expense irrigated, but the people are apathetic towards irrigation. They do not take the least care in irrigating fields other than those reserved for poppy cultivation."[8]

The popularity of poppy is also reflected by the fact that a larger proportion of the net cropped area was devoted to it in Champaran than in other poppy growing areas in the neighbourhood. For example during 1892-99 on an average 3.71 per cent of the total net cropped area was under poppy, which was greater than the proportion in Gaya, Muzaffarpur, Gorakhpur, Ballia and Azamgarh. The other districts had less than one per cent under poppy.[9]

Comparative profitability of poppy was a very important factor on the supply side. According to the calculations made by Stevenson-Moore, during the last decade of the nineteenth century, the average gross revenue from

7. Stevenson-Moore, *Final Report on Champaran*, p. 161.
8. Motihari Collectorate Papers.
9. Stevenson-Moore, *Final Report on Champaran*, p. 115.

poppy was Rs 41-2-0 per acre while the average cost of production came to Rs 14-0-0. Thus the grower had a net profit of Rs 27-2-0 per acre. Only sugarcane and tobacco were more paying crops. The net income from sugarcane was Rs 39-12-0 and that from tobacco was Rs 43-12-0 per acre[10] but they posed marketing difficulties. As their market was mainly local and their prices were not fixed in advance but subject to the market forces there was always an element of uncertainty about the return. At times their supply far exceeded the demand and there was a glut in the market while in the case of poppy there was no such risk.

The government monopoly control over poppy cultivation was the main limiting factor in the extension of the area under poppy. Even if the peasants wanted to extend the area they could not do so because there was no other buyer.

The government decision to increase or decrease the area under poppy was determined mainly by the trade policies of the Chinese authorities, the possible impact of the indigenous cultivation in China and the aim of earning maximum possible profit. Thus the government tried "to maintain poppy cultivation at the level at which a relatively high price resulting from insufficient production would not encourage the import of opium into China from other countries... or the cultivation of poppy in China itself, or large production resulting in the fall in the market price of opium, and at the same time increasing the total cost of opium manufacture would not reduce the revenue of government".

The main instrument of enforcing the government decision as regards the size of demand was the price-mechanism. The government could control and limit the

10. Ibid, 163.

11. *Papers Relating to the Opium Question,* 52; and Chaudhury, Binay Bhushan, "Growth of Commercial Agriculture in Bengal 1859-85" in *The Indian Economic and Social History Review,* Vol VII, No 1 Delhi, 1970, 50.

number of peasants going in for poppy cultivation. But that would have introduced an element of arbitrariness, as there was no basis to refuse to enter into agreement with some and not with other peasants, when the government wished to reduce the area under poppy. For example during 1848-55 the price of opium paid to cultivators was reduced twice. It was reduced from Rs 3-10-0 per seer to Rs 3-8-0 per seer in 1848 and to Rs 3-4-0 in 1855. In Champaran at first the peasants resented the price-cut and protested against it, but when they failed to get the price raised to the former level they switched over to other crops which had become relatively more profitable. Elsewhere in Bihar, as the opium agent noted in May 1859, a number of cultivators had changed over to sugarcane and a still larger number began planting indigo and the area under poppy in the province as whole declined from 4,50,129 bighas in 1853-54 to 3,41,502 bighas in 1858-59.[12] The decrease in the area under poppy in Champaran was hardly 10 per cent because there were no attractive alternatives and because indigo and sugarcane were not in a position to attract the peasants towards their cultivation. Sugarcane cultivation was on the decline because of the collapse of sugar industry owing to marketing difficulties and indigo was not finding favour for it was produced mainly on the assamiwar basis.

While fixing the price of opium the government had to take into consideration the prices of other crops also. The government's calculation about the area of land to be devoted to poppy might be upset if the prices of other crops increased sharply. Even if the government had no intention of altering the area under poppy, the increase in the prices of other crops and the wages of labour affected poppy cultivators. The former made other crops more remunerative and the latter increased the cost of poppy

12. Proceedings of Government of Bengal, Board of Revenue (Opium), July 1856, Nos 18-19, Proceedings of Government of Bengal, Revenue Department (Miscellaneous), November 1859, No. 20; and *Selections from the Records of Government of Bengal*, No XXXIII, pt I, p 43.

cultivation. Thus with increasing foodgrain prices, the tendency to change over to the cultivation of foodgrains was much more marked among the upper-caste cultivators. Labourers were paid mostly in foodgrains, and as the prices of foodgrains rose while the price of poppy remained stationary, this increased the cost of labour. This pinched the upper-caste cultivators much more because they worked with hired labour.

This phenomenon was seen in practice between 1855-56 and 1858-59 when the price of opium remained constant at Rs 3-4-0 per seer while the prices of a number of agricultural products almost doubled during this period.

Table No 4.2

PRICES OF SELECTED AGRICULTURAL PRODUCTS (1855-56 AND 1858-59) IN BIHAR

Item	*Selling for one rupee in*	
	1855-56 *Md-seer*	1858-59 *Md-seer*
Tobacoo	0-20	0-10
Mustard	0-30	0-15
Potato	2-20	1-10
Linseed	1-00	0-16
Oats	1-15	0-25
Wheat	0-30	0-16
Barley	1-10	0-20
Gram	1-00	0-22

Source : Proceedings of Government of Bengal, Revenue Department (Miscellaneous) November 1859, No 20.

On account of the above factors the aggregate area under poppy fell by 24 per cent in Bihar and a little less than 10 per cent in Champaran between 1853-54 and 1858-59. Soon the government realised that "this decrease, if allowed to continue, will inevitably cause a most serious

diminution in the opium revenue"[13] The price to be paid to the growers was thus raised twice in the next two years. It was raised first from Rs 3-8-0 to Rs 3-12-0 per seer, but even this was not sufficient to arrest the decline in the area under poppy. Hence in April 1860 the price was increased to Rs 4 per seer, but this increase also failed to bring about the desired result. The government admitted in 1861 : "All that has been done has not prevented up to this moment the throwing up of opium cultivation proceeding in Bihar at an increasing rate."[14] The government then had to raise the price to Rs 5 per seer and as a result the area under poppy in Bihar increased by about 62 per cent in 1863-64 over 1860-61. During this period the production of opium increased by about 2.5 times.

However the government was soon faced with another serious problem. The rapid extension of poppy cultivation resulted in overstocking in the market. The government of India, in spite of the opposition from the provincial government, reduced the price of opium from Rs 5 to Rs 4-8-0 per seer in 1863-64. The opium agents were told "to take no new lands, to make no engagements with any new ryots to confine those with whom engagements were made last year strictly within the limits of their former cultivation, to give them facilities for diverting land to other purposes if they wished it and on no account to allow the ryots to cultivate in excess of the area for which they may engage".[15]

The policy to restrict the cultivation of poppy continued up to 1868-69 when the government revised its policy and started encouraging the production to oust Chinese opium from the market. In 1875 the policy was revised and from that time onwards the government endeavoured to

13. Proceedings of Government of Bengal, Opium Department, Novermber 1859, No 16.

14. Proceedings of Government of Bengal, Revenue Department (Miscellaneous), June 1861, No 78.

15. Proceedings of Government of Bengal, Opium Department, December 1864, No 19.

concentrate on the best possible lands without allowing the area under the crop to increase. Table 4.3 shows the price, the production of opium and the area under poppy in Champaran from 1860-61 onwards. This table clearly brings out the impact of the price on the supply of opium.

Table No 4.3

THE PRICE, THE PRODUCTION OF OPIUM AT 70° CONSISTENCE AND THE AREA UNDER POPPY IN CHAMPARAN (1860-61 to 1910-11)

Year	Price (per seer) (Rs-As-P)	Production of Opium (maund-seer-chhatak)	Area under poppy (acres)
(1)	(2)	(3)	(4)
1860-61	4-0-0	5,602-14-15	42,802
1861-62	5-0-0	9,513-18-14	61,990
1862-63		10,704-04-11	67,379
1863-64	4-8-0	13,523-33- 8	72,345
1864-65		9,266-38-11	62,782
1865-66		8,824-07-12	63,122
1866-67		10,925-39-11	70,098
1867-68		10,857-35-15	74,122
1868-69		8,009-12- 2	64,358
1869-70		11,253-08-14	75,778
1870-71	4-8-0	8949-34-10¼	79,496
1871-72	5-0-0	10,463-28- 7	80,583
1872-73		6,302-35-11	73,729
1873-74		8,274-29-15	58,418
1874-75		12,207-04-15	80,305
1875-76		11,070-01- 8	73,399
1876-77		14,107-08-12	79,298
1877-78	4-8-0	3,669-13- 0	51,086
1878-79		8,236-23- 0	55,020
1879-80	5-0-0	11,312-04- 4	74,481
1880-81		6,803-04- 0	68,608
1881-82		9,301-17-13	73,430
1882-83		4,306-35- 4	73,284
1883-84		8,002-05-14	55,744
1884-85		11,197-38- 2	69,215
1885-86		11,111-15- 8	72,358
1886-87		10,767-00- 8	71,691
1887-88		10,439-05-14	69,868
1888-89		5,828-33- 3	58,277

(1)	(2)	(3)	(4)
1889-90		7,573-10- 4	60,220
1890-91		5,939-32- 2	63,391
1891-92		4,699-27- 1	58,412
1892-93		6,845-29- 9	53,149
1893-94		4,712-38-13	56,429
1894-95		5,735-34-11	56,553
1895-96		4,746-20-11	54,124
1896-97		NA*	NA
1897-98		NA	58,544
1898-99		NA	52,979
1899-1900		NA	NA
1900-01		NA	NA
1901-02		NA	NA
1902-03		7,765-00- 0	25,336
1903-04		4,007-00- 0	47,919
1904-05		6,569-08-9¼	45,780
1905-06		5,401-00- 0	45,742
1906-07		3,527-00- 0	39,222
1907-08		2,145-00- 0	26,962
1908-09		1,830-00-0	21,873
1910-11		NA	24,800

* NA—Not available.

Notes : The years for which price is not given were those for which the previous price was current.

(1) *Reports on the Administration of the Opium Department* from 1870-71 to 1908-09.

(2) Twenty Years' Statistics—Opium (kept in the library of board of revenue, Patna).

(3) *Champaran : District Gazetter Statistics,* 1901-02.

In 1907 an agreement was signed whereby the British government undertook to send no more opium to China. Accordingly the Bihar opium agency was abolished in 1910 and with this the peasants were deprived of the market for opium. After 1911-12, poppy cultivation completely disappeared and one does not find any mention of it in the district records.

As has already been noted, agreements were signed between the potential cultivators of poppy and the opium

agents specifying the terms and conditions. The opium agents operated through khatedars who were generally village moneylenders. They were regarded as peasants' representatives, taking the advances from the government and distributing them among the peasants. Khatedars also advised the authorities about the peasants with whom agreements for poppygrowing should be concluded. When the government policy was limited to the cultivation of poppy some peasants eager to grow poppy had to be denied the opportunity to do so either totally or partially. This provided the khatedars with extraeconomic power. They often misused their position to exact illegal cesses and make unauthorised deductions from the amounts due to growers on account of dryage and wastage. The opium commission talked of "the exactions of the native underlings of the department" being one of "the chief grievances of the opium growers".[16] In spite of the concern voiced by the commission and in spite of the introduction of section 15 of act XIII of 1857 prohibiting the illegal exactions like talbana for dryage and chalan for wastage, these exactions could not be prevented. The opium department admitted in its annual report for 1893-94 that poppy was becoming a troublesome crop because of "the misbehaviour of our native subordinates, who worry the cultivators in order to secure perquisites to which they have no right".[17]

The system of cultivation was such that the losses resulting from the failure of any one of the growers had to be shared by all. This was because the dealing was not with individual raiyats but with a group and this group was generally constituted by the khatedars. This proved to be a damper on the efficient cultivation of poppy. The suggestion for the introduction of the system of individual dealings and of individual payments was rejected by the go-

16. *The Report of the Opium Commission,* 37.

17. *Report on the Administration of the Opium Department* for the year 1893-94.

vernment on the ground that it would be opposed by the whole body of khatedars and it could lead to a possible collapse of poppy cultivation.[18]

Zamindars were not happy with the extension of poppy cultivation. They were, it was true, assured of the security and regularity of the rent payment, but they did not like the loosening of their hold on raiyats. They could neither increase the rents as they wished nor could they realise illegal cesses and free labour services from them. The result was interference by zamindars to discourage poppy cultivation. They saw to it that the fields of raiyats dying without heirs or absconding for any reason went out of poppy cultivation. They obstructed the construction of wells also.[19] The opium commission rightly remarked: "The pecuniary advantage which he (zamindar) undoubtedly derives from the cultivation is outweighed by these considerations."[20]

In Champaran, the European planters who exercised zamindari rights as mukarraridars and thikadars, never liked the raiyats growing poppy because their claim to the best lands of the raiyats for indigo was ignored. At the same time they faced a dilemma. If they came out openly obstructing their tenants growing poppy they were bound to come in clash with the government whose support was vital for carrying out indigo cultivation on the assamiwar basis. They did not like the visits of the officials of the opium agency in their areas as these officials impressed upon the raiyats that there were other powerful authorities than the planters. Moreover they also did not like the government regulation prohibiting the levying of abwabs on the poppygrowing raiyats.[21]

18. Proceedings of Government of Bengal, Opium Department, July 1885, Collection 2-40/42.
19. *Report on the Administration of the Opium Department* for 1883-84.
20. *The Report of the Opium Commission, pp* 90-91.
21. Motihari Collectorate Papers.

The petty zamindars and the tenureholders devised their own tactics to discourage the raiyats from growing poppy. Whenever a particular piece of land was free from poppy a higher rent was imposed on it or whenever a particular plot was going to be devoted to poppy, rent-rolls were manipulated to show that its rent was already enhanced. Indigo-planters insisted that after poppy crop was harvested, poppy plots should be devoted to indigo. This adversely affected the productivity of land if poppy was to be grown next season. During 1893-94, an important official of the opium department, Tytler noted: "The presence of indigo as a rain crop in poppy lands after the poppy is cut is also one of the causes of lessening of produce as indigo ruins the land for poppy."[22]

The government was aware of the attempts by the zamindars and the tenureholders to increase the rents of poppy lands. In fact in 1884-85 the government considered the possibility of taking measures to prevent the zamindars and intermediary tenureholders from exacting higher rents for poppy lands but decided to take no action against them because it would embolden the raiyats and strengthen peasant resistance and movements against zamindars and intermediary tenureholders. The government did not want to antagonise them because they were considered as the props of British rule.[23] Consequently peasants' enthusiasm for poppy was dampened.

With new opportunities like improved means of transport both by land and water, outside markets for agricultural crops were opened up. Potato, oilseeds and sugarcane came to claim some of the lands devoted to poppy.

The government had to exercise constant vigilance over poppy cultivation. First of all it had to ensure that the land promised to be devoted to poppy was actually cultivated with poppy. Raiyats generally promised more land

22. *Report on the Administration of the Opium Department,* for the year 1893-94,

23. Proceedings of Government of Bengal, Opium Department, July 1885, Collection 2-40/42.

than they could devote to poppy in order to claim more advances from the government. The local functionaries of the government like khatedars, gomasthas, and ziledars were instructed to check whether the raiyats had the promised plots in their possession and, if so, whether they were vacant to be devoted to poppy cultivation. If the raiyats failed to honour their commitments, legal action had to be taken against them.

There was an illegal market of opium functioning in Champaran. Opium was smuggled out through Nepal. As the price in the illegal market was higher, there was a tendency on the part of the growers to sell a portion of their produce in it. Since the government had only the right to get the promised land devoted to poppy, it had difficulty in proving that the entire produce had not been delivered by the growers. The only way out was to have a vigilance machinery which would be a very costly affair because of open borders with Nepal. Another problem was to stop smuggling of Nepal opium to Champaran. The government wanted that the opium juice which was extracted and delivered to the government by the growers was of 70° consistence which was the standard of purity. Nepal opium which was cheaper and substandard was mixed with the opium produced in Champaran to increase the weight and get more money. This type of adulteration was a cause of concern to the government.[24]

The second important commercial crop in Champaran during the nineteenth and early years of the twentieth century was indigo. Indigo cultivation and the manufacture of the dye occupied an important place in the economy of north Bihar in general and Champaran in particular. George Watt described north Bihar in 1890 "as the headquarters of the indigo industry".[25]

When did indigo cultivation begin in north Bihar is not known. It is however certain that indigo was being produced there long before the arrival of European planters.

24. Motihari Collectorate Papers; and *The Report of the Opium Commission,* pp 44-46,

25. Watt, *Pamphlet on Indigo,* 17.

Indigo plantation by the Europeans began in the latter half of the eighteenth century.[26] The first indigo factory was founded by a Dutchman, Alexander Noel (who afterwards set up the Noel and Company), at Kanti in the district of Muzaffarpur in 1778. In 1792 Francois Grand, the first collector of sarkar Tirhut, took a keen interest in the promotion of indigo cultivation. He is said to have built three indigo factories but the names of these factories are nowhere found in government records.[27]

Although indigo factories rapidly spread in Muzaffarpur (towards the end of the eighteenth century the total number of the factories had gone up to 12), no factory was built in Champaran until early in the nineteenth century. The first factories in Champaran were established at Rajpur, Motihari and Bara (near the Chakia railway station on Muzaffarpur-Motihari section of the north-eastern railway). It is not exactly known when the last one was actually built.[28] Soon after the Turkaulia factory was started by Henry Hill. Later in 1845 Captain John Taylor built the Seerah factory and after that a number of other factories and outworks came up.

The late start of indigo factories in Champaran is explained by the fact that during the last decades of the eighteenth and the first half of the nineteenth century the

26. Indigo was imported from West Indies and the South-American colonies and was used in the English textile industry and for colouring the British naval costumes. But as a result of the French revolution the emancipation of negro slaves in the French colonies took place especially into Santo Domingo, and the production of indigo sharply declined. Earlier about the year 1847 most of the planters in West Indies, particularly Jamaica, gave up indigo cultivation owing to the high duty imposed on it. A number of planters then came to India and began indigo plantation. See : Buchanan, *The Development of Capitalistic Enterprise in India,* 36; and Watt, *The Commercial Products of India,* 668.

27. Wilson, op cit, pp III-IV and 5; and Reid, D.J., "Indigo in Behar" in Wright *Bengal and Assam : Bihar and Orissa,* 255.

28. According to Wilson, (op cit 72) the Bara factory was built by Steward around 1820, while O'Malley, (*Bengal District Gazetteers : Champaran,* (op cit, 146) and Singh, (op cit, 241) held that it was founded by Colonel Hickey in 1813.

main interest of the Europeans in Champaran was in the sugar industry. In 1816 the collector did not even mention indigo among the indigenous products of the district and in 1830 only a reference was made. At that time indigo cultivation was not very important in the district. Sugar coninued to be a flourishing industry until about 1850 and the revenue survey of 1847 made frequent mentions of steam sugar factories found throughout the district. Sugar industry suffered a grave setback during 1845-50 from which it could not recover for the following 60-70 years.

Secondly, indigo became more profitable than sugar only after 1849-50 when the price of indigo began to shoot up and the dye sold at very lucrative prices.[29] The result was "that the people stopped bothering their heads about sugar".[30] Many European planters changed over to indigo and a large part of capital invested in sugar was transferred to indigo plantation and the manufacture of dye.

Thirdly, in the beginning, from the point of view of indigo cultivation and the manufacture of dye, "Bengal was in full swing". Bengal had many advantages, Calcutta being the main market and port for the sale and the export of dye, the Bengal indigo factories had to incur only a very small amount of expenditure on transport compared with the factories in north Bihar, particularly Champaran, because of its geographical location. But as a result of troubles in Bengal and the report of the indigo commission of 1860, indigo planters were forced more and more to move out of Bengal proper.[32] They then migrated to Bihar. The collapse of indigo plantation in Bengal led to the transfer of a substantial portion of capital to Bihar. This helped the growth of indigo plantation in Bihar. North Bihar attracted the planters most because it was the most productive indigo area and also the only tract in which

29. *Report of the Indigo Commission* 1860, appendix III.
30. Wilson op cit, pp 62-63.
31. Chowdhury, op cit, 121.
32. For indigo disturbances in Bengal, see: Kling, *The Blue Mutiny.*

native manufacturers had not by that time succeeded in establishing themselves in competition with the Europeans.[33] In 1857-58 Bengal produced 50,330 maunds (1 maund-80 lbs) and Bihar produced only 18,822 maunds of indigo, but in 1888-89 the position was reversed, the production of indigo in Bengal fell to 17,200 maunds while the production in Bihar rose to 58,748 maunds.[34]

Fourthly, during the rebellion of 1857 which was very widespread in Bihar the planters in north Bihar proved strong props of the company rule. They fought against the rebels, guarded Muzaffarpur and helped the company restore its rule. Consequently, the attitude of the government became more favourable to them. "The experiences of the mutiny and the motives of imperial interest caused the expediency of creating pockets of European population intended to support the empire in times of emergency."[35] The hands of planters were strengthened by giving them magisterial power and commissions in the army. In the disputes between the planters and the peasants the government generally sided with the planters. This created the favourable condition for the planters to utilise the existing agrarian relations to get indigo grown on the assamiwar system.

Lastly, the most important factor responsible for the faster growth of indigo cultivation in Champaran was the existing agrarian relations. The planters secured thika and mukarrari tenures which gave them zamindari rights. They used the zamindari rights to force the raiyats to grow indigo on the terms and conditions dictated by them.

Dr Rajendra Prasad has however given another reason for the rapid spread of indigo cultivation in Champaran after the collapse of sugar industry. According to him the climate of the district was cooler and for that reason it was liked by the European planters.[36] This explanation

33. Watt, *Pamphlet on Indigo,* 17.
34. Reid, *Indigo,* 85.
35. Misra, (edited), *Select Documents on Mahatma Gandhi's Movement in Champaran,* 8. Also see: Singh, op cit, pp 241, 246.
36. Prasad, *Satyagraha in Champaran,* 5.

seems to be superficial. In spite of the cooler climate, the district was worst affected by malaria, goitre, filaria and other epidemic diseases. Champaran therefore was not preferred for its cooler climate but for the agrarian relations which we have already discussed. Had cooler climate been a major factor planters would have preferred the Bettiah subdivision of the district and entered the Nepal territory too.

For indigo cultivation high noninundated land was considered suitable. This was an important reason for the establishment of the first indigo factories in the southern and northern parts of the district. Later planters moved to the northwestern parts. Finally the entire district became 'honeycombed' with indigo factories. Factories were built mostly on the banks of the lakes (the district has 43 big lakes), because they needed ample water supply for the manufacture of dye.[37]

The planters could get intermediary tenures only from the three big zamindars of the district. As a result the indigo cultivation and the dye manufacture were generally confined to these zamindaris.

During the last decade of the nineteenth century when indigo industry was at its peak in the district, there were 21 indigo factories with 46 outworks. Table 4.4 gives the details.

Table No 4.4

INDIGO FACTORIES AND THEIR OUTWORKS IN CHAMPARAN

Name of the factory (1)	*Date of establishment* (2)	*Names of the outworks* (3)
1 Bara	1820	Jagaulia (1848)
		Manipur
		Mahuawa (1881-82)
		Gondaha (1882-83)
		Rasulpur (1892-93)
2 Bairia	1884	Naurtan
3 Lalsaraya	1822	Madhopur
		Faraua
		Rajghat
4 Loheria	1859	Lugina

37. For details of the process of cultivation of indigo see: Grierson, *Bihar Peasant Life*, pp 243-44.

(1)	(2)	(3)
5 Dhokraha	Exact date not known but definitely before 1870	Bhamchak
6 Mallaya	1863	Sirsia
7 Motihari	1817	Sugaon
		Mirpur
		Puranhia (1859)
		Bhelwa (1861)
		Haraj (1863)
		Chailaha (1890)
		Bishambharpur
8 Murla	1864-65	Lachhamipur
9 Pipra	Before 1835	Madhuban (1885)
		Dhekaha
		Jagiraha
		Dinamath
10 Rajur	1801	Hussaini (1856)
		Pakari (1887)
		Jamunapur (1894)
11 Parsa	1860s	Harpur
		Sargina
12 Sathi	Not known	Malaria
13 Seerah	" "	Parewa
14 Tetaria	1853-54	Bala
		Chauhani
15 Turkaulia	Not known	Chilram
		Olaha
		Barharwa
		Jalaha
		Makhua
		Dudahi
		Gahiri
		Khairwa
		Sakhwa (Sirni)
		Tejpurwa
16 Nawada	Not known	Rajpur Kewal
		Parsauni
17 Kuria	1884	Lalghar
18 Marpa	Not known	—
19 Padumker	" "	—
20 Hardia	" "	—
21. Telhara	" "	—

Source: Bettiah Raj Records

From Table 4.4, it is obvious that indigo factories were more common in the Motihari subdivision. Out of 21 factories 12 were located there. Except Lalsaraya all the major factories such as Rajpur, Bara, Motihari and Turkaulia were in the Motihari subdivision. This was because planters held 58.55 per cent of the total area of the Motihari subdivision under them as proprietors, intermediary tenureholders and undertenureholders while in the Bettiah subdivision they had on 34.9 per cent of the total land area under them. Besides transport difficulties were more acute in the Bettiah subdivision.

Table 4.5 gives the trend in the production of indigo from 1872-73 to 1909-10. The data for the earlier period are not available. Likewise the production figures after 1909-10 are also not available.

Table No. 4.5

TOTAL OUTPUT AND VALUE OF INDIGO PRODUCED IN CHAMPARAN (1872-73 TO 1909-10)

Year	*Output in Factory Maunds (1 factory maund = 72 lbs.)*	*Value (Rs)*
(1)	(2)	(3)
1872-73	12,000	NA
1873-74	7,158	NA
1874-75	18,338	NA
1875-76	12,571	NA
1876-77	21,576	NA
1877-78	9,959	NA
1878-79	NA	NA
1879-80	19,685	NA
1880-81	12,380	NA
1881-82	13,500	33,07,500
1882-83	16,000	37,60,000
1883-84	16,952	39,83,700
1884-85	16,660	NA
1885-86	16,000	NA
1886-87	18,127	NA
1887-88	18,125	37,31,874
1888-89	18,912	NA

(1)	(2)	(3)
1889-90	16,495	NA
1890-91	9,620	19,20,000
1891-92	18,000	32,40,000
1892-93	11,749	35,24,700
1893-94	8,841	25,26,401
1894-95	26,180	65,45,000
1895-96	17,225	42,80,000
1896-97	20,484	45,06,480
1897-98	13,108	22,02,144
1898-99	21,420	32,13,000
1899-1900	19,850	NA
1900-1	20,362	31,56,110
1901-02	18,446	28,59,130
1902-03	9,437	14,86,763
1903-04	14,430	20,20,200
1904-05	15,335	15,33,500
1905-06	8,717	12,82,618
1906-07	9,495	14,49,809
1907-08	10,365	15,54,750
1908-09	9,898	12,29,763
1909-10	6,269	9,40,671

Source: *Annual Reports on the Administration of Bengal Presidency* from 1873-74 to 1904-5; Annual General Administration Reports, Patna Division, from 1872-73 to 1878-79; Stevenson-Moore, *Final Report on Champaran*, p 148; Sweeney, op cit, p 8; and Proceedings of Government of Bengal, Revenue Department (Miscellaneous), October 1906, Nos 9-12 A.

Ignoring the short-term fluctuations in production due to weather and other temporary factors, one finds a rising trend till the end of the nineteenth century while a downward trend set in during the beginning of the present century.

Our conclusion about the expansion of indigo cultivation is strengthened by the acreage under this crop. It is apparent from Table 4.6 that the area under indigo showed an

upward trend till 1904-5, after which a downward trend set in. Indigo had become such an important crop in the district that in 1899-1900 it accounted for 95,970 acres or 6.63 per cent of the net cropped area.[38]

Table No 4.6

AREA UNDER INDIGO IN CHAMPARAN (1892-93 TO 1931-32)

Year (1)	*Area (acres)* (2)
1892-93	54,000
1893-94	54,000
1894-95	54,000
1895-96	54,000
1896-97	70,000
1897-98	86,000
1898-99	86,000
1899-1900	95,970
1900-1	86,000
1901-2	75,000
1902-3	84,000
1903-4	84,000
1904-5	84,000
1905-6	55,000
1906-7	38,600
1907-8	52,600
1908-9	47,400
1909-10	36,000
1910-11	46,200
1911-12	43,500
1912-13	36,200
1913-14	18,200
1914-15	8100
1915-16	15,100
1916-17	21,900
1917-18	26,400
1918-19	11,300
1919-20	NA

38. Stevenson-Moore, *Final Report on Champaran*, p 48.

(1)	(2)
1920-21	NA
1921-22	NA
1922-23	6200
1923-24	5100
1924-25	2700
1925-26	2200
1926-27	1100
1927-28	NA
1928-29	800
1929-30	400
1930-31	NA
1931-32	400

Source: *Agricultural Statistics of the Lower Provinces of Bengal* (published annually); and *Season and Crop Reports of Bihar and Orissa* (published annually).

The reversal of the rising trend in the area and output of indigo was the result of an outside factor. Germany introduced a cheap synthetic dye in 1896-97 in the world market on a large scale and the demand for the natural dye fell. Consequently the average price of the natural dye fell from Rs 235 per maund in 1894-95 to Rs 150 in 1897-99. Planters were hard hit because the rapid fall in the price of the natural dye made it difficult for them to cover even the cost of production.

Planters tried their best to save the industry from extinction by introducing new methods of cultivation and new varieties of seed, etc. with a view to reducing the cost of production and increasing the per-acre outturn. The government also aided them in their efforts by giving handsome research grants. For instance in 1907-8 alone the government gave a grant of Rs 50,000.

At the time of the introduction of the synthetic dye in the world market, the indigo plant grown in Champaran was of the variety known as indigofera sumatrana. This plant was a low-yielder of the colouring matter and it soon became obvious that to compete successfully with the synthetic sub-

stitute something better would have to be introduced. In 1898 H. A. Bailey, a planter, visited Java and as a result of his visit a new variety—Java indigo—was introduced. The new plant gave a very large yield of colouring matter and hopes were aroused that it would save the industry. But suddenly during the monsoon of 1907 an insect pest called psylla attacked the plant. Moreover the plant regularly wilted owing to some unknown disease. Java indigo could not be induced to form seed as the plant was killed by the disease before the seed formed. Work at the planters' research station at Sirsia failed to yield any satisfactory solution to the problem.[39]

Planters then tried hard to put pressure on the British government to accord protection to the natural dye by purchasing only the natural dye for all blue-colouring purposes in the various departments of the government throughout the empire. An 'Indigo defence association' was formed in England for that purpose. The government did not take any step to curtail the consumption of natural dye in favour of the synthetic dye, but it refused to give any undertaking as regards the future.[40] It was also pointed out that natural dye was much inferior to the synthetic dye in various respects.[41]

Consequently the crisis went on deepening. The price of the natural dye fell to Rs 130 per factory maund in 1912-13. The acreage under indigo cultivation registered a sharp fall. In 1914-15 only 8100 acres remained under it.

The outbreak of the first world war gave a temporary

39. Mackenna, *Agriculture in India*, pp 60-61; Proceedings of Government of India, Revenue and Agriculture Department (Agriculture), June 1907, Nos 26-27A; *Season and Crop Report of Bihar and Orissa for the year* 1912-13, p 2; and *Report of the Committee on the Agrarian Condition in Champaran*, Vol I, Ch II.

40. Proceedings of Government of India, Revenue and Agriculture Department (Agriculture), June 1899, No 4 B; September 1899, No 11B; September 1907; Nos 18-19A; July 1900, Nos 22-35A; September 1900, No 19B; and December 1901, No 9B.

41. Ibid, Decemeber 1901, No 9B.

lease of life to indigo industry because the supply of the synthetic dye from Germany stopped and there was a considerable increase in the demand for and consequently the price of the natural dye. During 1914-15 the value of the natural dye appreciated between 400 and 500 per cent. The price of the natural dye of ordinary quality in Calcutta market leapt from Rs 155 to Rs 675 per factory maund. Consequently the total area under indigo in Champaran increased from 8100 acres in 1914-15 to 15,100 acres in 1915-16 and then to 21,900 and 26,400 acres in 1916-17 and 1917-18 respectively.

But as the war came to an end, indigo cultivation once again became unprofitable because the resumption of the supply of synthetic dye from Germany resulted in a sharp decline in the demand for and the price of the natural dye. In 1918-19 the acreage under indigo declined to 1100 which went down to 800 in 1928-29 and to 400 in 1929-30. Indigo cultivation almost completely vanished after 1931-32.

Let us now consider a few important effects of indigo plantation in the district. First and foremost, it proved to be of great help to the three big zamindaris of the district. Planters gave huge sums of money to secure intermediary tenures from them and thus saved them from going into liquidation because of the mounting debts. Planters, relieved them of the burden of rent-collection and management at a very nominal remuneration or sometimes without any remuneration at all.

So far as agricultural development was concerned, the import and introduction of new and improved implements was a positive contribution by the planters. Peasants were introduced to new types of ploughs which went deep into the earth, harrows, implements for weeding, and for sowing seeds systematically in rows. They used them in the cultivation of other crops too, particularly sugarcane. One estimate shows that the introduction of new implements contributed at least 10 per cent increase in the per-

acre yield of a crop. However the details of the calculation are not known.[42]

Indigo plantation created new opportunities for employment. Stevenson-Moore, the survey-settlement officer, found during 1892-99. "The average number of labourers employed in Champaran per diem by indigo factories is 33,000 and more than half the labour is employed in cold weather months when these classes are most liable to destitution."[43] To appreciate the significance of these figures properly, one should keep in mind the fact that the total population of the district in 1891 was 18,59,465 and there was a complete absence of any modern manufacturing industry. According to a government estimate, on an average about Rs 6.66 lakh was spent every year by indigo factories in the Bettiah subdivision alone on the wages of labour by the indigo factories.[44] During 1892-99 the average wage for an ordinary agricultural labourer in the district was 2½ annas and the indigo factories generally paid less than the ruling wage rate. Assuming that they paid 2 annas on average, their total wage bill for 33,000 labourers employed for all the 365 days would have been Rs 15,05,625 per annum.

The prompt payment of wages in cash along with regular employment saved a large number of labourers, particularly those belonging to the lowest stratum of society, from destitution caused by famines. They were thus saved from the clutches of moneylenders who charged exorbitant rates of interest. Planters were interested in keeping the moneylenders away because of the fear that the landholding of the poor raiyats might slip out of their hands and thus reduce the area under indigo.

Indigo cultivation and dye manufacture was a source of ready cash in the district. We have already presented the

42. Motihari Collectorate Papers.

43. Stevenson-Moore, *Final Report on Champaran*, p 153.

44. Proceedings of Government of India, Revenue Department (Land Revenue), September 1899, Nos 127-29.

data about the value of indigo produced in Champaran (see Table 4.5) and tried to estimate the average wage bill of the labourers employed by the factories. The total amount of money spent by the factories on cartage is not known. That is why one cannot fully estimate the total amount of money put in circulation in the process of indigo cultivation and dye manufacture. However it can be safely said that between Rs 80 lakh to Rs 1 crore was put in circulation every year in this process. Indigo helped monetisation of the economy of the district and pushed the peasants in the direction of production for the market. During the early years of the twentieth century, the collector of the district remarked: "The cessation of the indigo advances, following the withdrawal of the opium advances, has resulted in a shortage of ready money which in some parts of the district is marked."[45]

It is difficult to calculate the amount of capital invested in indigo plantation and dye manufacture in Champaran, but there are certain indications of its size. According to a government estimate £ 10,00,000 were invested in indigo plantation in north Bihar in 1872-73.[46] And in north Bihar Champaran was the major indigo-producing district. Henry, the collector of the district, reported in 1882-83: "The amount of the outlay for the Champaran indigo concerns was about Rs 22,20,000."[47] In the following year the outlay rose to Rs 26,80,000.[48]

Another advantage for the peasants growing indigo was the fixity of rents. So long as indigo factories found their business profitable they refrained from enhancing the rents of raiyats. As has been pointed out earlier, the

45. Quoted by Sweeney, op cit, p 8.

46. *Annual Report on the Administration of the Bengal Presidency for* 1872-73 and also see: Hunter, *The Indian Empire*, 561.

47. Annual General Administration Report of the Patna Division for 1882-83.

48. Annual General Administration Report of the Patna Division for 1883-84.

indigo factories did not secure intermediary tenures for earning a commission but acquired zamindari rights to facilitate assamiwar cultivation of indigo.

Despite all the advantages mentioned above, there were all through bitter conflicts between planters on the one hand, and peasants, moneylenders, petty zamindars and former Indian thikadars on the other. These conflicts later assumed the form of a strong mass movement. However it may be pointed out here that peasants did not get full advantage from indigo cultivation because of the existing tenurial arrangements.

As has already been noted, the cultivation of indigo by raiyats under the assamiwar system involved an element of compulsion. Raiyats in the areas over which planters exercised zamindari rights as tenureholders were asked to devote a specific portion of their landholdings to indigo on the terms dictated by them. The majority of the raiyats having no firm tenancy rights were not in a position to resist their demands without running the risk of eviction. Before 1867 a raiyat was obliged to devote five to six kathas per bigha (i.e. onefourth to threetenths of the total landholding) to indigo cultivation. In 1867 it was reduced to 4 kathas per bigha (i.e. onefifth) and in 1868 it was fixed at 3 kathas per bigha (i.e. threetwentieths).[49] In 1910 it was further reduced to 2 kathas per bigha (i.e. onetenth).

Secondly, the price paid to the growers was not according to the weight but according to the area and it had a built-in disincentive. In 1869 the price was raised from Rs 6-8-0 to Rs 9-0-0 per acre. In 1877 the price was increased to Rs 11-5-0 per acre. Towards the end of the nineteenth century it was Rs 12 per acre. In 1910-11 the price was increased to Rs 13 per acre. If the rent of the land on which indigo was grown was taken into account, the price came to Rs 15-8-0 per acre. The rent of the indigo land was remitted by the factory concerned.

49. This gave birth to the term tinkathia.

Since the price was fixed by the area, it had no direct relationship with the outturn of the crop. The result of this arrangement was twofold: first, the lack of incentive to the cultivators to increase production and devote their best attention and efforts to indigo; and second, the need for an elaborate machinery on the part of the factory for the selection of the land and supervision of cultivation.

Third, the price paid to the growers was not determined by the forces of market because the suppliers (i.e. growers) were not free to negotiate. Hence a bad aspect of the pricefixation of indigo was that it was not allowed to vary with other prices. The price for indigo crop did not increase for a long time even though the prices of other crops went on increasing. Almost every increase in the price of indigo was the result of extramarket forces. Peasant agitations and violence led to government pressure on the planters to increase the price.

Fourth, the indigo-sattas were executed for long periods ranging up to 12 years and during the period of the satta, the terms and conditions were to remain unchanged.

All this shows that the permanent settlement acted as a negative factor in the accrual of benefits of indigo cultivation to the peasants. Had there been a different kind of tenurial arrangement, the peasants would have been free agents in negotiating the price of the indigo crop, fee for the cartage and wage rate for the labour supplied by them to the factories.

The third important commercial crop to develop in the district was sugarcane. It has gone through many ups and downs but has survived to this day while there are no traces left of poppy and indigo.

Sugarcane cultivation and the manufacture of sugar on the commercial basis was introduced in Champaran by the immigrants from Azamgarh and Gorakhpur more than 150 years ago and, during the first half of the nineteenth century, it flourished quite well.[50] Most of the indigo

50. Sweeney, op cit, 8.

planters in the beginning started as sugar manufacturers. Sugar industry continued to be a flourishing one until about 1850 and the revenue survey of 1847 made frequent mentions of steam sugar factories scattered throughout the district. However it suffered a grave setback during 1845-50 from which it could not recover for about 60-70 years. Explaining the collapse of the sugar industry, Minden Wilson wrote: "The soil of Behar is, as a rule, light, and a cane crop exhausts it. The soil north of the Bhagmatee river... is stiffer and better for cane, but the lands there are liable to inundation. In 1845-50, little or no attempts at manuring were tried. Most factories grew indigo side by side with sugarcane, but the valuable 'seeth' (refuse) manure was not made use of. In those days saltpetre was a paying industry and the 'seeth' was used for fuel in the saltpetre refineries—men who had started sugar industry were utterly ignorant of what was required to make the industry a success. All they knew was that they had put down some bighas of cane. They never considered that these bighas were small plots of the very best and richest lands and they got an enormous outtrun of what they called sugar and they calculated that if this sugar sold in Calcutta at a certain figure, fortunes were well in view. What was the result, from want of manure or change of lands, the produce per bigha fell yearly from, say, 60 maunds per bigha to 1½. Sugar granulated after a fashion, but after it had been bagged it became a sticky mass and the consequence was that it sold in Calcutta for next to nothing—whether it was the climate affecting the stuff or that it was underboiled no one seemed to know. The sugar would not show a dry clean grain. Factories had invested in expensive machinery and plant—principally open pans... Though... vacuum pans made good sugar. the lands were exhausted, and production falling to zero, they had to be shut up."[51]

Thus the technological factor aggravated by the absence

51. Wilson, op cit, pp 61-62.

of modern means of transport prevented the Champaran sugar factories from producing for the external market. This was a great limiting factor in the expansion of sugar industry and sugarcane cultivation in the district. Since the prospect for producing for the external market was not bright, the industry could no longer attract capital and enterprise. On the contrary there was a transfer of capital from sugar industry to the cultivation of indigo and the manufacture of the dye.

Sugarcane cultivation was carried on by the peasants under an agreement with the factories. The price of the cane was arrived at as a result of negotiations between the two parties. With the acquisition of intermediary tenures the planters gave up sugar manufacture in favour of indigo.

Between 1884-85 and 1887-88 the output of sugar in Champaran declined from 65,000 maunds to 35,000 maunds and during the last decade of the nineteenth century sugarcane never accounted for more than 0.77 per cent of the net cropped area. The total area under sugarcane was on an average only 11,155 acres per year.[52] The sugarcane produced was utilised mainly for making gur which was locally consumed.

Later the crisis in the indigo industry forced the planters to turn their attention to sugar. The revival of the sugar industry was pioneered by the Indian development company—a European concern. It built factories at Seerah and Parsa. Between 1905-6 and 1909-10 there were three sugar factories namely Bara, Seerah and Parsa. Besides there were a number of small refineries. The total output during 1909-10 was 54,634 maunds of refined sugar and 33,818 maunds of molasses.[53]

From 1902-3 the area under sugarcane went on increasing.

52. Stevenson-Moore, *Final Report on Champaran*, p 113, 159, 161.
53. Proceedings of Government of Bengal, General Department (Miscellaneous), April 1911, Nos 5-6 A.

It went up from 9900 acres in 1902-3 to 21,100 acres in 1922-23 and it remained at that till 1931-32.[54]

The rapid extension of the area under sugarcane during the first three decades of this century was due to three main factors. First, the decline of indigo cultivation and the manufacture of the dye led to the transfer of capital to and the increase of investment in the sugar industry which had become attractive as a result of technological progress—overcoming some of the earlier difficulties. Second, expanding transport facilities gave a fillip to the sugar industry and sugarcane cultivation. Third, after the decline of poppy and indigo peasants turned to sugarcane for ready cash. The passage of the Champaran agrarian act of 1917 abolishing tinkathia and prohibiting the exercise of force to compel the raiyats to grow any crop on a specific portion of their landholdings—on the terms and conditions which they thought unremunerative —removed the obstacles in their way to negotiate prices for their products.

During the early years of the 1930s the protection of the sugar industry in India became necessary to save it from the competition of Java sugar. The sugar industries protection act of 1932 was passed for this purpose. It gave encouragement to the sugar industry and cane cultivation in the district. Besides the two modern mills founded by indigo planters at Lauriya (earlier known as the Parsa sugar factory) and Barachakia (the Seerah factory having closed down), seven more sugar mills were established between 1932 and 1936. The number of sugar factories in the district thus rose to 9. Table 4.7 gives the dates of their establishment with their original canecrushing capacity.

The ownership of mills was not in the hands of Biharis not to speak of the inhabitants of the district. Almost the entire capital in the sugar industry of the district came

54. Motihari Collectorate Papers.

Table No 4.7

SUGAR FACTORIES IN CHAMPARAN

Factory	*Year of establishment*	*Original capacity (tonnes per day)*	*Existing capacity (tonnes per day)* 1969-70
Barachakia	1905	NA	1060
Lauriya	1905	610	1340
Narkatiaganj	1931	660	1128
Majhaulia	1932	457	1562
Chanpatia	1932	884	1025
Motihari	1932	457	1713
Harinagar	1933	NA	1562
Sugauli	1933	NA	1060
Bagaha	1936	660	982

Source : The Indian Sugar Mills Association, Bihar branch.

from outside and the entire managerial staff has continued to be non-Bihari. The two factories, viz Barachakia and Chanpatia, were founded by the British. They are now under the British India Corporation—a semigovernment enterprise. Six of the factories, viz Narkatiaganj (Birla concern), Lauriya (Sahu-Jain concern), Bagaha (Kanoria concern), Motihari (owned by the relations of the Birlas), Majhaulia (owned by the Singhanias and their relations) and Harinagar (owned by Narayan Lal Pitti of Bombay) are Marwari Concerns. The Sugauli factory is owned by a Muslim family of Ghazipur (UP).

Important among the factors making Champaran suitable for the location of the sugar factories was the lower cost of production of sugarcane. Table 4.8 makes it quite clear.

Table No 4.8

SUGARCANE CULTIVATION IN NORTH BIHAR, UP, BOMBAY AND MADRAS (1931)

Item		*North Bihar*	*UP*	*Bombay*	*Madras*
1	Yield per acre (tonnes)	11	13	24.7	28
2	Recovery of sugar (per cent of cane)	8.90	9.00	10.12	10.12
3	Duration of crop cultivation (months)	9 to 11	9 to 11	12 to 14	10 to 12
4	Cost of production of cane (per quintal)	Re 0.83	Re 0.75	Rs 2.00	Rs.1.75
5	Cost of cultivation (per acre)	Rs 91.30	Rs 97.50	Rs 494.00	Rs 490.00
6	Average price per quintal (1929-30 @ 12 annas per maund adjusted to recovery)	Rs 1.98	Rs 2.00	Rs 2.25	Rs 2.25
7	Total return	Rs 217.80	Rs 260.00	Rs 555.75	Rs 630.00
8	Net return	Rs 126.50	Rs 162.50	Rs 61.75	Rs 140..00
9	Net return adjusted to average crop of 12 months	Rs. 157.80	Rs 195.00	Rs 49.40	Rs 130.00

Source : Compiled from the *Report of the Tariff Board.*

Even among the districts of north Bihar Champaran had some special advantages. First, the sugar factories could purchase the zirat farms of the indigo planters and start their own largescale farming of sugarcane. Second, because of presence of moisture in the soil sufficient for the growth of the sugarcane irrigation was not essential in the district.

The area under sugarcane increased steadily and came to about 1 lakh acres by 1947. In 1950-51 the sugar factories of Champaran crushed 204.40 lakh maunds of sugarcane and produced 20.83 lakh maunds of sugar. During

the 1857-1947 period the entire output of sugarcane was not delivered to the sugar mills. A substantial portion was diverted to the production of gur and sugarcane grown in the areas bordering UP and Saran was generally delivered to the mills there. No definite information is available about the amount of sugarcane delivered to outside mills and diverted to the production of gur.

Table No 4.9

AREA UNDER SUGARCANE IN CHAMPARAN (1911-1951)

Year	*Area (in acres)*
1911	18,800
1921	20,980
1931	23,400
1941	1,02,820
1951	85,416

Source: Prasad, *Census 1961, Bihar*: *District Hand Book*: *Champaran*, p 105.

The cultivation of sugarcane in the district has been on the following lines which clearly show the impact of the indigo cultivation:

(1) The zirat system. Factories grow cane on their own farms directly. They bear the entire risk involved in cane cultivation.

(2) The assamiwar system. In the beginning it was two-fold. On the one hand there were tinkathia agreements which became illegal after the Champaran agrarian act of 1917 came into force. On the other hand there were khuski agreements under which a raiyat took an advance and bound himself to grow cane on a certain area for one year only. The difference between the tinkathia and the khuski agreements lay in the fact that the latter was only annual and could not be renewed unless the raiyat so wished while the former was for all practical purposes a permanent arrangement from which the raiyat could not easily get out. Under the khuski system the grower could demand

terms in accordance with the varying pitch of the market from year to year.

Unlike the indigo plantation the government has been keeping watch on sugar industry and cane cultivation since 1934-35 and until 1949-50 the sugarcane act 1934 operated in Bihar. The Bihar government was fixing the minimum price of the sugarcane under this legislation. The price of sugar was controlled by the Bihar government before 1942. In April 1942 central control came to be exercised over price-fixation. Between 1935-36 and 1950-51 (except between December 1947 and September 1949 when there was no government control over sugar prices) the price of sugar was fixed according to a formula under which the exfactory price of sugar was equal to cost of production plus a margin determined by the government. The price of sugarcane was linked among other things with recovery of sugar from cane and with the price of sugar. The government took note of the general price situation also.

There has been a big snag in the price-fixation, which has acted as a disincentive to efforts on the part of an individual grower to improve the quality of cane. The price is linked to the recovery of sugar and for a particular sugar factory the recovery is worked out. All the growers supplying cane to that factory get the same price irrespective of the quality of their sugarcane.

Another problem which acted as discouragement to sugarcane cultivation was the nonpayment of the total price of sugarcane delivered by the growers to the factories promptly. 20 to 25 per cent of the cane dues always remained unpaid and on this amount no interest was ever paid.

During 1935-50 the average per-acre yield of sugarcane in the district was 19 tonnes[55] and there was great scope for improving this performance. The first step would be

55. Information collected from the office of the cane commissioner, Patna.

the extension of irrigation facilities. Throughout this period on an average only 2 per cent of the area under sugarcane had irrigation facilities.[56] In this connection neither the sugar factories nor the government did anything. In 1937 the Bihar sugar factories control act came into force under which the government acquired the right to impose a cane cess at the rate of 8 paise which gradually increased to 51 praise per quintal and the proceeds were to be utilised for "an intensive campaign for the improvement of cane cultivation which will enable our cultivators to grow cane at a very much lower cost than at present by increasing the yield per acre and the sucrose content."[57]

Table 4.10 shows that between 1938-39 and 1952-53 the Bihar government utilised the money for other things rather than for sugarcane research and development.

Neither the government nor the factories met the normal requirement of the improved seeds. In Champaran the normal requirement of seeds for sugarcane cultivation was about 50 maunds per acre. Against this the average distribution of improved seeds came to only 10 maunds per acre. Most of the improved seeds went to the zirat farms of the factories. Had there been enough supply of improved seeds to the growers they could have improved per-acre yield and their earnings.

Sugarcane being a perishable commodity has to be transported from the fields to the factories as soon as it is ready. The harvest, mode of transport and the need to make an assessment of the estimated yield of the cane being grown and its maturity period had to be borne in mind. If all these aspects were properly studied and scientific schedules worked out for harvesting of canes and their transportation to the factories, the growers could not have lost as a result of the dryage and much of the rush and congestion at the factories could have been avoided.

56. Ibid.

57. Extract from the speech of Dr Syed Mahmood while introducing the Bill in the Assembly. *Bihar Legislative Assembly Debates*, 1937.

Table No. 4.10

RECEIPT FROM CANE CESS AND EXPENDITURE ON SUGARCANE RESEARCH AND DEVELOPMENT (1938-39 TO 1952-53) IN BIHAR

(*lakh rupees*)

Year	*Amount of cess collected*	*Expenditure on sugarcane research*	*Expenditure on sugar-cane develop-ment*	*Total*	*expenditure as % of collection*
1938-39	14.34	0.56	—	0.56	3.9
1939-40	17.86	0.75	1.56	2.31	12.9
1940-41	30.43	0.93	2.32	3.25	10.7
1941-42	31.68	1.01	1.67	2.68	8.5
1942-43	22.74	1.14	2.60	3.74	16.5
1943-44	31.58	1.44	2.91	4.35	13.8
1944-45	7.49	1.40	2.70	4.10	54.7
1945-46	18.05	1.70	3.29	4.99	27.7
1946-47	35.10	1.99	3.82	5.81	16.6
1947-48	24.57	2.74	4.12	6.86	27.9
1948-49	63.17	4.42	4.55	8.97	14.2
1949-50	61.12	7.27	4.69	11.96	19.6
1950-51	125.66	6.86	5.68	12.54	10.0
1951-52	102.86	7.39	6.61	14.00	13.6
1952-53	115.37	7.20	6.27	13.47	11.7

Source : Office of the cane commissioner, Patna.

In both indigo and sugar industries, which were in the private sector unlike the opium manufacture and trade, there was a complete absence of local enterprise. Indigo plantation and dye manufacture was mainly a European (mostly British) enterprise while the sugar industry in the district was founded by the non-Biharis among whom the British and the Marwari entrepreneurs were in a dominant position. Here the question arises why the local enterprise did not attempt to enter any of these two industries.

Indians, mostly the zamindars, tried to enter indigo industry. In the beginning in one of the major factories of Champaran, Rajpur, a Bengali was a copartner along with a European, Jeffry Finch. In addition to this a number of small concerns were started by the local people. For example Jamunapur factory was established by Munshi Jawad Hussain in 1864-65, but he could not run it properly and sold it to an Englishman in 1888. In 1867 Gopalpur factory was built by Upendra Narayan Singh, one of the babus of Chainpur, but he also suffered losses and had to sell it to M. Macleod. Jatepur factory was set up in 1870 by Harman for Shri Ram of Patna but after a few years it had to be closed down forever.[58] The local people thus failed to have any foothold in indigo plantation and dye manufacture in the district.

In the case of the sugar industry there is no evidence to suggest that even an attempt was ever made to enter it.

Here two important questions have to be answered. First, why so few local people tried to enter the indigo industry and, in the case of sugar industry, none dared to do so? Second, why did the local enterprise fail in the indigo industry?

So far as the three big zamindars of the district were concerned, they frittered away whatever surplus they derived from their estates. Moreover they did not look favourably at trade and industry because they thought it beneath their dignity to enter them. The rich farmers and traders such as Khendhar Rai of Laukaria, the family of the Diwanji of Shikarpur, the Rais of Bilaspur and the Shahis of Dumaria, and the Kalwars of Motihari had enough capital and there was no difficulty for them to acquire the necessary technical skill and credit facilities to undertake either sugar manufacture or dye manufacture. The basic reason for their failure to do so seems to be a lack of enterprise. They preferred to go in for money-lending or the acquisition of zamindaris and other landed

58. Wilson, op cit, pp 79, 81.

property which were safer avenues of investment and gave them prestige and influence in their areas.

The failure of the local people who ventured in the indigo industry was mainly due to their lack of managerial skill. Moreover they did not have contacts in the Calcutta circle which was dealing with the export of the dye and this deprived them of financial help and of the orders for their products.

From the foregoing discussion some important conclusions emerge. The introduction of the permanent settlement—which made the cash rents prevalent—necessitated the need for cash on the part of the raiyats. Commercial crops were a good source of cash. Poppy, indigo and sugarcane unlike other cash crops did not create any marketing difficulties.

The peasants did not grow these crops mainly because of their conscious response to the market stimulus but owing to the efforts of the outsiders. The outside agencies acted as organisers of production of all the three crops.

In the case of indigo and sugarcane (up to 1917), agrarian relations decisively influenced the supply side. The European planters used the existing tenurial arrangement to force the raiyats to grow these crops. The raiyats, having no firm occupancy rights, had no alternative but to submit. They could not secure best possible terms and benefits. Thus the tenurial arrangement brought into existence by the permanent settlement acted against the raiyats. Had the peasants been free to take production-decisions and negotiate the terms and conditions with the planters there would have been no need for the planters to have a machinery to supervise at every stage of production-process and use coercion to grow the crops wanted by them.

In this connection it can be safely concluded that the growth of indigo and sugarcane (up to 1917) cultivation was not the result of any allocative efficiency of the peasants. Poppy, indigo and sugarcane cultivation gave

birth to a system of advances, and thus a new kind of control over the production-process and the disposal of the produce was exercised. Village moneylenders and graindealers did not have much role to play in promoting these three crops. The purpose of the advances given by the new credit group connected with trade and manufacturing organisations differed from the advances supplied by the moneylenders and the graindealers. The main difference was that the former had the sole purpose of securing the supply of the commercial produce of the peasant, while the latter aimed at securing higher rates of interest and if possible grabbing the land of the peasant. The village moneylenders never interfered with the production-decisions of the debtors.

The emergence of the new credit group did not mean that the existing production-organisation underwent a radical change. In fact the existing production-organisation got strengthened. The assamiwar cultivation of crops was carried on by the individual peasant families on their own landholdings. They did not take any land on lease to do so. They had their own capital consisting of their own savings, implements and loans from village moneylenders and the advances from the new credit group to carry on the production-process. They used their own labour. Thus they had to provide all the means of production and bear almost the entire risk. They had to surrender their entire produce of the commercial crops to the new credit group at fixed prices. Had the peasants been free to negotiate the prices of commercial crops without any constraint arising out of the existing tenurial arrangements, this would have contributed to the emergence of a new production organisation. The rich farmers could have taken lands from others on lease and would have hired labourers to carry on largescale farming of commercial crops.

Zirat cultivation of indigo and later sugarcane did represent a new type of production-organisation. Planters carried on the cultivation of indigo or sugarcane on their own farms by providing necessary means of production

and by hiring labourers. Their production-decisions were influenced by the market forces. In Champaran zirat farms consisted of the land reserved by the zamindar for his own cultivation and of the land acquired from the raiyats who died heirless or fled away as a result of coercion or who were made to surrender. The dispossessed raiyats were employed as labourers on zirat farms. Zirat cultivation was less rewarding in Champaran because of the lack of diversification of crop-pattern. That is why the planters went in for assamiwar cultivation where they did not have to bear much risk. Since zirat cultivation was very small there was no impact on the existing production-organisation.

The inelasticity of prices paid for commercial crops and the mode of payment (on the basis of area in the case of indigo, the khata-wise payment for poppy and the recovery-linked price of sugarcane) did not give any incentive to the peasants to increase the yield or improve the quality of the produce.

Chapter Five

PERMANENT SETTLEMENT AND THE PEASANTS OF CHAMPARAN

The permanent settlement as we have already seen left no ambiguity while dealing with the relations between the government and the zamindars. The architects of permanent settlement also wished to place the zamindar-peasant relations on a well-defined basis without leaving any scope for manipulation or uncertainty. They failed however in achieving this. One of the main reasons for this was that the framers of permanent settlement did not have proper and adequate data about the rights and privileges of different sections of the peasantry. Harrington has rightly remarked: "The omission of definite rules in the regulations of 1793 for declaring and securing the rights and tenures of the ryots is to be accounted for by the extreme intricacy and difficulty of the subject as ... stated in the minute of Mr Shore ... dated 18th June 1789."[1] Earlier they had made attempts to gather detailed information but no useful result could come out. For example in 1769 the East India Company had decided to appoint supervisors to collect necessary information. Each supervisor was to collect "summary history of the 'province' assigned to his charge; ... to draw an exhaustive report on the state, the produce and capacity of lands", "derived from genuine authorities and confirmed by an accurate inspection on their part", "to ascertain the amount of the revenues, the cesses or arbitrary taxes, and of all demands whatsoever are made on the ryot, either by government, zamindar or collector with the manner of collecting them; and the gradual rise of every new impost". Every supervisor was asked to pro-

1. Harrington, *Minute and Draft of Regulation on the Rights of Ryots in Bengal*, p 2.

vide "an estimate of the production of every district, both in quantity and kind; the amount of manufactures employed in every branch . . ." Moreover he was also asked to provide data about prices of foodgrains and encroachments by rivers.[2]

This attempt ended in failure. Whatever information was gathered was of a general nature. The English officials' attempts were bound to fail because for them "it was a journey into the unknown in more than one sense. At every step they came up against quasifeudal rights and obligations which defied any attempt at interpretation in familiar western terms. The hieroglyphics of Persian estate-accounts baffled them. It was only a part of the difficulty that they could not easily master the languages in which the ancient and medieval texts relating to the laws of property were written; for tradition recorded only in the memory and customs embedded in a variety of local usages wielded an authority equal to that of any written code."[3]

Thus among the difficulties to put the rights and privileges of different sections of the peasantry, wide variations in the rights, privileges and customs relating to the land from area to area were most formidable.

To wriggle out of the difficult situation, the framers of permanent settlement granted certain rights to that section of the peasantry whom they called khudkasht raiyats (resident cultivators) and made certain arrangements for securing those rights. Without caring to define or to specify the customary rights of the khudkasht raiyats, they proclaimed that no zamindar would be allowed to infringe upon them. Other types of raiyats such as paikasht raiyats (nonresident tenants) and undertenants were not treated on par with khudkasht raiyats. It was believed that tenants other than khudkasht ones did not have the same customary rights. Thus they did not deserve the same type of security. Warren Hastings had held that the khudkasht raiyats "are those who reside in one fixed spot, where they have built themselves substantial houses, or

2. *The Fifth Report,* Vol I, pp clxxii, clxxxi-clxxxiv.
3. Guha, *A Rule of Property for Bengal,* p 13.

derived them by inheritance from their fathers".[4] The framers of permanent settlement agreed with Warren Hastings. The holdings of the khudkasht raiyats were heritable and could not be confiscated so long as they paid the rent.[5]

The raiyats other than the khudkasht ones were not secure and definite of their occupancy over holdings. The paikasht raiyats[6] cultivated the land in the villages other than their usual place of residence. The underraiyats were called by various names such as bataidars or adhyadars which meant share-croppers. They cultivated the land belonging to some khudkasht raiyats and gave a portion of the produce to them by way of rent. They did not have any documents to prove the possession of the land they cultivated.

The following were the main provisions in the regulations of the permanent settlement regarding the raiyats:

First, regulation VIII of 1793 provided for the grant of pattas by zamindars to tenants stating the terms and conditions of tenancy in accordance with the customary rights of the tenants. It was thus hoped that there would be no oral tenancies to leave any scope for insecurity and uncertainty.[7]

Second, the imposition of extra cesses and exactions—abwabs—was banned and zamindars were required to specify in black and white the rent payable to each raiyat at the pargana or established rate. If any dispute arose as regards rent to be entered in pattas, it was to be referred to the civil courts which could give its ruling by taking into account the rates established in the pargana for lands of similar description and quality. If it was ever proved that pattas were obtained by raiyats at rates below the established ones, as a result of the collusion with the servants of the zamindar, they were liable to be cancelled.[8]

4. *The Fifth Report,* Vol I, p 1.
5. Ibid, Vol II, pp 84, 88.
6. The paikasht raiyat differed from the raiyats who had two establishments and cultivated in two villages. The latter were treated as khudkasht raiyats. See: Grierson, *Bihar Peasant Life,* p 328.
7. *The Fifth Report,* Vol II, pp 509-10.
8. Ibid.

Third, it was also provided that the raiyats were entitled to obtain receipts for all payments made to the zamindars.

Last, so long as a tenant paid his rent he could not be evicted from his land. Even on sale of a zamindari for arrears of revenue, the purchaser was to have no power to evict any resident tenant unless he failed to pay his rent or to accept a patta at the established pargana rate. This way it was hoped that "...fixity of tenure and fixity of rent-rates were secured to the ryots by law..."[9]

As regards the enforcement of these provisions, the government reserved the right to intervene though it was thought that in practice it would not be necessary because the zamindars would reach a fair understanding with their tenants. It would be in the zamindars' interest to encourage tenants to increase the productivity of land. The large areas as yet uncultivated seemed to provide protection to the tenants because it was felt that the zamindars would have to compete among themselves to attract tenants. It was thus thought that the enlightened selfinterest of zamindars would be the best guarantee of the protection of raiyats' rights. Though civil courts were established to settle the zamindar-tenant disputes, it was hoped that "the parties, on experiencing the inconvenience, expense and delay, combined with the uncertainty attendant on decisions in the newly-constituted courts of justice, will come to a reasonable agreement between themselves: zamindars, for the sake of retaining the cultivator, by whose means alone his estate can be rendered productive, and the cultivator, for the sake of gaining subsistence on the spot where he has been accustomed to reside".[10]

In short the framers of permanent settlement assumed that the relationship of interdependence or complementarity of interest would result in the observance of the provisions regarding the raiyats.

9. Campbell, George, "The Tenure of Land in India" in Probyn (ed), *Systems of Land Tenure in Various Countries,* pp 145-46.
10. *The Fifth Report,* Vol I, p 48.

It will be interesting to examine how far the above provisions were implemented in Champaran. Let us begin with patta regulations. A patta meant a document prepared by, and at the expense of, the zamindar and delivered to a raiyat specifying the area of his holding, the conditions of tenancy and the amount of rent which was not to exceed the established pargana rate. The patta regulations if properly implemented would have given protection to the raiyat regarding his occupancy rights and the amount of rent. They surely would have limited powers of the zamindar to evict him, increase his rent arbitrarily and realise abwabs. The raiyat too would have been secure in his rights and this would have induced him to make investment and increase production.

In Champaran, as elsewhere in Bihar and Bengal, the patta regulations were not implemented. The zamindars of the district ignored their obligation by putting the blame on raiyats that they refused to receive pattas and execute kabuliyats (deeds of accepting pattas). The zamindars were right in their claim that the raiyats were not prepared to accept the pattas. However they did not disclose the reasons for their refusal. The first reason was the attempt of the zamindars to deliver the pattas at more than existing rent. The raiyats did not agree to increased rent and refused to accept the pattas. In the zamindari of the Sheohar raj, an attempt was made to increase the rent through this device.[11] The raiyats were told either to receive the patta at increased rates of rent or to pay the existing rent without pattas.[12] In a district like Champaran where the population was smaller, not more than 6 lakh during the last decade of the eighteenth century[13] and where there was plenty of land to cultivate, the raiyats did not bother about the patta regulations. If any zamindar became inconvenient, they had the easy option of going over to some other area in the district or to the neighbouring Nepal territory. In the beginning zamindars also did not do anything to infringe on their existing rights and privileges. The illiteracy of the

11. Motihari Collectorate Papers.
12. Ibid.
13. Stevenson-Moore, *Final Report on Champaran*, p 14.

tenants and their ignorance of changes in land laws prevented them from realising the implications of the nonenforcement of patta regulations.

There was no machinery created by the government to ensure proper implementation of patta regulations and to take action against the zamindars who were scuttling them, not to speak of explaining the regulations and their implications to the raiyats.[14] Lord Cornwallis had hoped that an independent village agency of patwari would be created to maintain the accounts and the record-of-rights of the village concerned. "That a list of the putwarrees of the villages be deposited in the sudder cutcherry of the collectorship and in the cutcherry of the pergunah. No farmer or zamindar shall be allowed to remove a putwarree without the permission of the collector."[15] For about three decades nothing was done to establish the agency of the patwari.

An examination of the records of the Bettiah raj reveals that it almost completely ignored the patta regulations. In the entire zamindari only 458 pattas were granted up to 1820 and the raiyats receiving the pattas did not account even for 0.5 per cent of the total rental income of the raj. It was recorded by the manager of the raj that the tenants hasitated to receive the pattas on the ground that they would signify a lack of confidence and loyalty on their part in the raja with whom they had been bound for ages.[16]

An interesting fact to be noted in this connection is that whatever pattas were granted by the Bettiah raj pertained to villages under their direct management. The tenureholders rarely took the patta regulations seriously for they did "not like to place a limit on their rental income which is sure to go up as a result of the rush of migrants from outside".[17]

The rent act of 1859 (act X of 1859) radically changed the patta regulations. It made it obligatory for a raiyat to prove his

14. *East India (Bihar Cadastral Survey) Correspondence*, p 58.
15. *The Fifth Report*, Vol II, p 509.
16. Bettiah Raj Records.
17. Note by the manager on 11 December 1822, in Bettiah Raj Records.

12-year continuous possession over his holding to demand patta from the zamindar. This way it obliterated the old distinction between the khudkasht and paikasht raiyats and the superiority of the former over the latter. The act also removed the bar on increasing the rent of the occupancy raiyats. This provision dispensed with the stipulation of the framers of permanent settlement that the rent of the occupancy raiyats could not be enhanced.

For the purposes of enhancement of rent, act X of 1859 divided the raiyats into four categories: (1) those who had held their lands at fixed rates of rent since the permanent settlement, (2) those whose rent had not been changed for twenty years, (3) those who had held lands for twelve years, and (4) those who had held for less than twelve years. The rent of the first category could not be raised at all. The same treatment was to be accorded to the raiyats of the second category unless it was proved that their rent was altered even once in the last twenty years. On the third category was conferred the right of occupancy, under which rent could be enhanced only for certain specified reasons and by a prescribed procedure. The fourth category was not granted any occupancy right and was left (unless protected by local custom) in the position of mere tenants-at-will.

It was a welcome development that right of occupancy could be acquired even by a nonresident tenant. But in practice it was difficult to prove continuous possession for 12 years because he did not generally possess any documentary evidence. Rent-receipts were seldom granted by the zamindar and intermediary tenureholders. There was no village-agency to maintain record-of-rights and testify about the fact of possession. Thus not only in the case of the third category of tenants but also in the case of the first and second categories it was extremely difficult to prove the period of their possession.

Moreover zamindars and intermediary tenureholders frequently changed the plots of the raiyats so that they could not prove continuous possession over any plot for 12 years. This

device was found handy to nip in the bud any attempt to demand a patta.[18]

An official note of 1892 explaining the reasons for the failure of raiyats to obtain pattas in Champaran and other districts of Bihar held:

"A century ago, when the permanent settlement was effected, the government of the day directed zamindars to give pattas to their raiyats. Successive regulations enjoined the same duty, and successive acts recognised the same principle, until the rent law of 1859 broadly laid down the doctrine that every raiyat was entitled to patta—a provision reenacted in act VIII of 1869... very few, if any, pattas were granted. It may be said that the raiyats might have sued to have written leases; but litigation is always troublesome and costly; it is also full of uncertainties. When a man sues to obtain a patta, what is there to prevent the landlord from denying that the man is raiyat at all? If by chance the raiyat is well-to-do and relies on a road cess return or other paper showing an admission on the part of the zamindar, the latter takes refuge under the plea that the lands are not the same. No wonder then that suits for pattas are even so rare. The real difficulty is not only the raiyat's inability or reluctance to sue, but his ignorance of the law. The rent act of 1859 was passed a third of a century ago, you go to any village in Bihar and ask an average raiyat about the commonest provisions of the law, and he will be found to display a remarkable amount of ignorance. It is only the literate, well-to-do—the servants of lawyers, the persons who, goaded by a zamindar, have been driven to the courts, who know what an occupancy right is, and whether such a right exists...

"Notwithstanding successive rent laws, the zamindar in Bihar is malik or lord in every sense of the word. He ejects raiyats at pleasure, and in many cases enhances rents at will... raiyat is too poor to come to court to get redress for eviction, and even if he has the means, he has no documentary evidence wherewith to substantiate his title. The zamindar's papers never support

18. Motihari Collectorate Papers.

it and very few zamindars have zamindari papers or counterfoil receipts. I have rarely met with patwaris who have admitted the genuineness of the manuscript dakhillas they have granted.

"If the Bihar zamindars had taken to the practice of granting counterfoil receipts showing the area, and the rent of the holding even after passing of the tenancy act[19], the raiyats might by this time have had something to call their own, but with the exception of a very few landlords... the vast majority of the zamindars have not adopted the system, the reason being that they do not like to be bound by documents and inelastic rent-roll... It may be said that the landlord can be easily fined, but as the act is silent as to the authority having jurisdiction, the remedy is not enforced... The zamindars were in the habit of always changing the raiyat's lands in order to prevent him from acquiring a right of occupancy, and it was to prevent this evil that the definition of an occupancy raiyat was modified in the tenancy act in such a way that the holding of particular lands should not form an element in the acquisition of an occupancy right. But without a counterfoil receipt and without a survey, the law is powerless to help the raiyat."[20]

As late as 1877 W. W. Hunter recorded: "Hardly any land in Champaran is held by tenants with a right of occupancy."[21] The joint magistrate and deputy collector of Champaran had written to the government of Bengal in the beginning of 1855: "The curse of this district is the insecure nature of the ryot's land tenure. The cultivator, though nominally protected by regulations of all sorts, has practically no right in the soil, his rent is continually raised; he is oppressed and worried by every successive ticcadar, until he is actually forced out of his holding and driven to take shelter in the Nepaul tarai. A list of all the ryots who have abandoned their villages on account of the oppression of the ticcadars within the last ten years would be a suggestive document."[22]

19. The Bengal tenancy act of 1885.
20. Proceedings of Government of Bengal, Revenue Department (Land Revenue), December 1892, No 23.
21. Hunter, op cit, vol XIII, p 282.
22. Motihari Collectorate Papers.

This situation continued up to the last decade of the nineteenth century when the first comprehensive survey and settlement operations were undertaken.

According to regulation IV of 1793, the amount of rent of a khudkasht raiyat was never to exceed the established paragana rate. "The permanent settlement provided that the pargana or customary rates of rent should remain fixed and unalterable for ever, just as it provided that the revenue payable by the zamindars to government should also remain fixed in perpetuity. . ."[23]

Obviously compliance with this provision would have limited the zamindar's demand on raiyats and put an end to all enhancements of existing rent. It would have compelled zamindars to look for an increase in their rental incomes through the reclamation of waste lands only, as was indeed intended by the framers of permanent settlement.

The main trouble with this provision was the undefined nature of pargana rate. This becomes clear from the following remark regarding Champaran from an official report: "They (pargana rates) existed but in name, and instead of there being one rent for the pargana there were in some cases no less than a dozen rates for one village. This state of things was a serious bar to the enforcement of the regulation of 1793 for the execution of pattas. In short, with not only rent rates but standards of measurement existing in extraordinary variety the regulation framed for the protection of the raiyats had not the smallest chance of success."[24]

In the Majhaua pargana the rate of rent generally declined as one travelled from south to north. For example in 1810-11 the average rent in Gobindganj thana was 2½ times more than that in Bagaha thana. Further as one moved from south to north one found that the bigha was increasing in size. In the areas north of the Bagaha and Shikarpur bazars, one *bigha* was equal to 2 acres while in tappa Sonwal in the Gobindganj thana it was roughly equal to 1¼ acres. This was because the

23. *East India (Bihar Cadastral Survey) Correspondence* p 56.
24. Stevenson-Moore, *Final Report on Champaran,* p 29.

density of population in the south was much higher and thus the demand for land was also greater.[25]

Even in a village the rates of rent were not the same for similar type of land. The people of high castes, servants of zamindars and other favourites such as the families of dancing girls, bards, jesters, etc. held their lands at lower rent than other people holding the same type of lands. The case of village Kotwa in tappa Jaffrabad went even up to the Calcutta high court. In this village the people of upper-castes held their lands at lower rent than others. On an average the upper-caste people paid 50 per cent less than others for the same type of lands.[26]

In the northern parts of Champaran where Tharus resided, the rent was fixed not on land but on the number of ploughs because the main problem was to clear the jungles for cultivation. The revenue surveyor wrote in 1845 that "the northern portion is chiefly covered with high grass" and jungles.[27]

That the pargana rates and their uniformity were a myth was reported by a number of revenue officials working in other parts of Bihar. For example M. Finucane submitted a report on 18 December 1882 to the board of revenue after a detailed investigation in the Narhan zamindari which covered 259 villages in the districts of Dharbhanga, Muzaffarpur and Monghyr. He spoke of "the perplexing variety of rates". He further wrote: "I have endeavoured to trace the origin of this endless variety of rates but must confess that I have not succeeded in obtaining any very satisfactory explanation. The variation in rates is no doubt due partly to caste distinctions, for koeries as a rule pay higher rates than bhabuns for lands of the same quality in the same badh or block but on the other hand caste is not the only cause because in blocks of the same quality, held exclusively by bhabuns, one bhabun pays at a higher rate than

25. Bettiah Raj Records.
26. Ibid.
27. Motihari Collectorate Papers.

another though the fields of both are adjacent and of the same quality."[28]

In another report submitted by him on 10 February 1883, M. Finucane discussed the case of villages lying outside the Narhan zamindari. He wrote: "The following facts seem... to be established regarding estates which are not the property of the Narhun minor but in which enquiries have been made: I- that the number of rates varies in one village from a maximum of 95 to a minimum of 4 and that the average number for eight villages is 34, II- that the amount of the rates varies from a maximum of Rs 10 to a minimum of 10 annas in the same village and for all eight villages from Rs 15 to 2 annas per local beegah of 3600 square yards and III- that as regards two villages, Damodurpore and Jaezpotee... for which alone the data for comparison exist, the area under cultivation has increased by 31 per cent in the former village and decreased by 3.9 per cent in the latter since 1247 FS (1840 AD), while the rental of those villages has increased by 200 per cent and 500 per cent respectively in the same period."[29]

Another official H. M. Tobin furnished to the board of revenue on 31 December 1882 a long list of villages of the Shahabad district in which numerous rates of rent existed.[30] Three weeks later he wrote "In those villages where the existing rates are numerous, they are in many instances not in proportion to the real value of the land... in those villages where there is uniformity of rates, the same rate has been applied to different soils indiscriminately without regard to their relative value." He gave several examples to substantiate his conclusion. For example, "In Dohlia the men of one 'tola' cultivate at Rs 7-8 and Rs 7-12 per bigha the same land that the men of another 'tola' till at Rs 3-12 and Rs 5 per bigha. In Sirkhindi Rajeh forming part of Nag Singhanpura, the 'diara' and 'upermar' lands are both held at Rs 1-13. The former yields about 15 maunds per acre. In Rani Singhanpura tal

28. *Report of the Government of Bengal on the Bengal Tenancy Bill, 1883,* Vol II, p 441.
29. Ibid, p 484.
30. Ibid, p 437.

land, yielding about 14 maunds per acre, and 'buldhus' (high) land, yielding about 11 maunds per acre, both pay at the rate of Rs 3-6-3 per bigha. In Chakandi, forming part of Rampur Ukhori, in tal (low) lands the prevailing rates are Rs 2-8 and Rs 4; in some cases the lands held at these different rates give the same outturn and in some cases the land at Rs 2-8 gives a greater outturn than the other."[31]

Later the government, instead of defining and making the term precise, nullified the regulation regarding the pargana rates at least in the case of paikasht raiyats. One way to define and make the term precise was to work out some sort of average rate of rent and to link it with the productivity of the land. The new provision made the raiyats not having right of occupancy entitled to pattas if they were in continuous possession of their lands for 12 years but only at such rates as might be agreed upon between them and the persons to whom the rent was payable (act X of 1859 and act VIII of 1869). Thus the stipulation of the framers of permanent settlement that khudkasht raiyats would hold their holdings at pargana rates or established rates of rent could not be implemented because there was no precise connotation of the term pargana rates. This resulted in the failure to ensure fixity of rent-rates to tenants.

As stated earlier the patwari was to serve as the main agency for the implementation of the provisions of permanent settlement concerning the raiyats. He was to keep the zamindari accounts and records up-to-date and was to be paid by the zamindar. With a view to supervising the work of the patwari, a kanungo was to be appointed whose functions were to maintain public revenue accounts and to receive the returns and registers of zamindars and other local officers who were entrusted with the task of the collection of the public revenue. He was also required to collect data regarding articles produced, rates of rent, transfers of holdings, rules and customs established in each pargana, and to assist in the measurement of land.

There was however a big snag in the success of this scheme

31. Ibid, p 461-62.

which on the face of it looked all right. The provision was that patwari would be paid by zamindar. This was because the government revenue demand was fixed for ever and any commitment on the part of the government to pay the patwaris would have reduced the net government revenue receipts. The government wanted the zamindars to pay for the patwaris who were to prevent them from flouting the provisions of the permanent settlement regarding patta and realisation of abwabs, etc, from the raiyats. It was strange that the zamindars were being asked to pay for keeping check on themselves.

What happened in practice was that patwaris never acquired the status of an independent village agency. They got reduced into the servants of zamindars and carried out their dictates. If there was any attempt on the part of a parwari to assert his independence by refusing to follow the orders of a zamindar, his salary was stopped and the government did nothing. Moreover in practice neither the government nor the courts cared for the records or testimony of a patwari. The agency of patwari thus never assumed the significance it was intended to have and the kanungo's office became little more than a name.

In 1815 the court of directors had a fresh look at the agency of patwari and directed the introduction of such measures that would make the patwari a government servant, paid and maintained at the cost of the public exchequer. Strong objections were raised by zamindars who saw in them a danger to their powers and position and consequently the scheme could not materialise. The agency of patwari remained as it was. However the court was determined to appoint kanungos to supervise the work of patwaris. Regulations XII of 1817 and I of 1819 provided for the reestablishment of kanungos and defined the position and duties of patwaris. But this arrangement also failed to achieve anything. Zamindars in most cases did not appoint patwaris or when they did so they refused to pay their remuneration after a while or dismissed them without any prior notice and in no case allowed them any access to genuine records.

The Champaran zamindars were not an exception to what

has been said about Bihar zamindars in general. The Bettiah raj and other two big zamindaris, viz the Ramnagar and Madhuban zamindaris, had their own hereditary patwaris who were invariably kayasthas. Since they had been connected with these zamindaris for a long time, they did not dare go against them. Economically they were dependent, and moreover they were allowed by the zamindar to realise some extra money by levying abwabs such as dawat puja. They were not paid their salary in cash but had been allotted land for their maintenance called nankar. Besides they could get fallow lands settled with their family and other relations at concessional rent-rates. Asserting independence meant annoying the zamindars and losing these benefits.[32]

So far as the petty zamindars were concerned, they did not employ any patwari because they did not have enough funds to pay for him. They themselves looked after the collection of rent and the maintenance of records.

For the next half a century nothing fresh happened on this score. Only during 1870s efforts were made to revive the patwari system. In 1873 the government felt that the patwaris should be retained wherever they existed and utilised for performing miscellaneous revenue work, including the collection of agricultural statistics. Wherever new patwaris were to be appointed, each of them was to be allotted a village or a group of villages, paying gross rental from Rs 2500 to Rs 4000. Smaller zamindars were themselves asked to perform the duties of the patwari. Stress was laid on regular filing of papers in the subdivisional office. The papers were to include (a) register of annual accounts of the village or group of villages (b) register of mutations of proprietors, lakhirajdars and raiyats and (c) register of pattas granted in the village.[33]

In Champaran the reorganisation of the patwari system was encouraging. Yet there arose certain difficulties in a number

32. Motihari Collectorate Papers.

33. *Report on the Land Revenue Administration of the Lower Provinces of Bengal* for the year 1870-71, pp 26-29; *Report on the Administration of Bihar and Orissa*, 1911-12, pp 64-65; and Stevenson-Moore, *Final Report on Champaran*, p 36.

of cases. Generally in joint and undivided zamindaris, every copartner, large or small, wanted to have his own man as patwari. For example the choice of patwaris presented a big problem in the case of the zamindaris owned by Shahs of Bhawanipur, Dubes of Mamarakha and Mishras of Manguraha.[34] In such cases the collector took upon himself the task of selecting patwari, and the persons recommended by the majority of shareholders were in most cases accepted by him. However the shareholders who were not satisfied with newly-appointed patwaris continued to have their own separate patwaris. They did not fulfill their obligation of supplying the relevant papers to registered patwaris. Having no means to check the authenticity of the papers received from other shareholders, there was no alternative but to accept them as they were. Thikadars also continued to have their own arrangement for the collection of rent and the maintenance of records and did not supply their jamabandi and other papers to the registered patwaris. Thikadars had their own considerations for ignoring the registered patwaris—or making vigorous attempts to get them dismissed. They did not want that the exact amount of income derived by them from their tenures should be disclosed to zamindars as there was a possibility of the thikadari rental being increased when the tenures became due for renewal.[35]

As mentioned earlier patwaris were appointed generally on the basis of the recommendation of zamindars, or the majority of shareholders in particular zamindaris who invariably favoured the appointment of persons of unflinching loyalty to them. More often patwaris cooperated or, to be precise, colluded with zamindars in presenting the papers. Obviously the purpose of making patwaris safeguard the interests of raiyats by maintaining genuine records and granting rent-receipts was defeated.

Table 5.1 gives some idea of the working of the patwari system in Champaran and other districts of Patna division.

34. This information is derived from an enquiry from the descendants of these zamindars.

35. *Report on the Land Revenue Administration of the Lower Provinces of Bengal* for the year 1876-79, p 37.

Table No 5.1

WORKING OF PATWARI SYSTEM IN PATNA DIVISION

District	*Number of villages regarding which papers were submitted by patwaris to the collector by March 1880.*	*Percentage of villages from which papers had been received to those for which patwaris were appointed.*
Patna	4378	60.4
Gaya	1814	33.3
Shahabad	Nil	Nil
Muzaffarpur	1200	39.3
Darbhanga	2550	40.8
Saran	Nil	Nil
Champaran	2313	88.2

Source: Proceedings of Government of India, Home, Revenue and Agriculture Department (Revenue), April 1881, No 18.

It appears that by May 1880 the work of appointing patwaris was almost complete in Champaran. From this it may be concluded that the patwari system achieved a good measure of success in this district. But it was not really so. One has to take into account the fact that mere appointment of patwaris did not mean ipso facto the fulfilment of the objectives for which it was made. So far as the appointment of patwaris was concerned, the major role was played by the fact that two of the three big zamindaris, viz Bettiah and Ramnagar, had European managers appointed at the advice of the board of revenue. Thus the board of revenue could indirectly influence these two zamindaris to accept the patwari system. However the papers filed by them were "merely a useless encumbrance to the record rooms".[36] The persons who were appointed patwaris were already in the employment of the zamindars and they were looking after the work of rent-collection and maintenance of records. Their appointment as registered patwaris did not mean any change in their mode of working nor were they imparted

36. Proceedings of Government of India, Legislative Department, May 1895, No 55.

any training to make them suitable for the tasks which the government wanted them to fulfil.[37]

Commenting on the situation, Weekes, the collector of Champaran, wrote in 1894: "It seems to me of little use to require papers to be filed which lead to nothing, are not reliable and can never be tested. The government connection with patwaris ceased with the necessity thereof; and accordingly the principle cessante ratione cessat lex, the old regulation XII of 1817 died a natural death, and it is equivalent to a repassing of the act to resuscitate it now. Patwaris were government servants so long as it was the duty of government to decide the ratio of the government revenue to the produce of each bigha of land. But in 1793 government made over not only its revenue but the rent also to the zamindars in perpetuity, or at any rate the revenue plus any amount of the increase that the zamindars might on one pretence or another screw out of the raiyats, and this increase practically converts that which was originally revenue into rent. The patwari's duty paper is solely concerned with revenue and not with rent.

"But the patwari of the present day, though the name and office have survived..., is... entirely a different officer from the patwari of the past....

"Next as to the nature of the papers filed. They are in the form prescribed, but are in many instances incorrect. I have had about fifty of them tested by the canoongo, and the general impression I have gathered is that their use is not commensurate with the expense and inconvenience to the ticcadars and the extra trouble to the government official in their preparation. The specification of each field of each ryot's holding necessitates much writing, while the vagueness of the specifications renders it of but problematical use."[38]

Another collector of Champaran had written to the board of revenue on similar lines: "In June 1892... I proposed the abolition of patwari as a quasigovernment servant and remarked that as a class the patwaris are useless, dishonest and mischievous

37. Ibid.

38. Proceedings of Government of India, Revenue and Agricultural Department (Land Revenue), March 1895, Nos 40-45 A.

and use their quasiofficial position for their own aggrandisement, and behave dishonestly towards government, the zamindar, and the raiyat in turn, as it suits their interest or convenience. After a further experience of two-and-a-half years I see no reason for modifying in any way the views I then expressed... even where there were registered patwaris they were in a large number of instances unfit for the survey work for ignorance, mental incapacity, sickness and old age, and sometimes from youth, where a minor had been appointed in place of his father or uncle, and... down to this latest date we find the system a failure."[39]

The commissioner of the Patna division also veered round the opinion that the rule which required patwaris to furnish their papers and accounts should be withdrawn, and regulation XII of 1817 repealed and if need be reenacted in a form more suitable to the circumstances. In the early years it might have been desirable to have a depository of village papers but changes in circumstances had reduced the need of maintaining patwari system for getting the records under the road cess act. Zamindars had now to file their rent-rolls which were preserved in the collectorate. The board of revenue upheld the views of the commissioner. The lieutenant-governor agreed entirely with the board of revenue but he was not clear in his mind as to what to do. His view was: "If the patwari were formally allowed to become a mere zamindari servant, his usefulness to the ryots, and his amenability to village considerations would entirely disappear, and he would become a petty gomastha, the worst enemy of the ryots. On the other hand, to make him a government servant and yet insist on his keeping the rent accounts, would, now that the revenue is permanently settled, amount to a direct interference between landlord and tenant."[40]

39. Proceedings of Government of India, Legislative Department, May 1895, Nos 52, 56. Also see: Proceedings of Government of India, Revenue and Agriculture Department (Land Revenue), August 1895, No 32 B; Buckland, *Bengal Under Lieutenant-Governors*, Vol II, pp 895-97; and *Papers Relating to Rent Law in Bihar, 1877-78*, p 3.

40. Proceedings of Government of India, Home, Revenue and Agriculture Department (Revenue), April 1881, No 18; and Proceed-

Ultimately the rule requiring the patwaris to file village accounts in the collectorate was withdrawn, though it was insisted that they should maintain village land records and get a fair remuneration from zamindars. They were also expected to collect agricultural statistics because of the recommendations of various famine commissions. Besides, the board of revenue thought that the agency of patwari would be useful for performing certain duties such as granting rent-receipts to raiyats and helping proper valuation and division of the crop where the bhowlee system prevailed. In Champaran patwaris were to perform a few more functions, viz measuring the lands settled with the raiyats and informing the police of the law-and-order situation.[41]

Notwithstanding the pious wishes of the government, the patwari system became defunct and the government remained a silent spectator. By 1924-25, as the government admitted, the patwari regulation XII of 1817 was completely dead.[42] With this the attempt of the government to provide continuous authentic records of rights in land and conditions of tenancy through the agency of patwari failed. As has been made amply clear the failure was inherent in permanent settlement. The government did not want to spend money on maintaining patwaris because this would have meant a cut in its land revenue receipts which were fixed for ever. It was illogical to expect the zamindars to support an independent agency of patwari which was intended to have a check on them. It was wrong on the part of the government to expect the zamindars to help fulfil "great object to dissever the connection between the zamindar and the putwaree".[43]

Let us now turn our attention to the grant of rent-receipts to tenants. Receipts for rents paid to zamindars would have

ings of Government of India, Legislative Department, May 1895, No 55.

41. Proceedings of Government of India, Revenue and Agriculture Department (Land Revenue), March 1895, Nos 40-45 A.

42. *Report on the Land Revenue Administration of the Province of Bihar and Orissa* for 1924-25, p 13.

43. *Papers Relating to Rent Law in Bihar, 1877-78*, p 3.

been a proof of tenancy, and receipts for 12 years continuously would have built a solid case for the grant of occupancy rights.

Till 1876-77 nothing was done in Champaran and other districts of Patna division to compel the zamindars to grant receipts for rents paid by raiyats. By and large raiyats did not get any receipts for rents. In Champaran what was granted was usually a piece of paper on which the zamindar or his servant wrote that a particular sum was received from someone. No details of any kind were given. Consequently this piece of paper had no sanctity in the eyes of law.

In 1876-77 the government of Bengal admitted: "What is required is some legally prescribed form of zamindary accounts ... and the introduction of printed duplicate cheque receipts for rent. The ordinary system of zamindary accounts is exceedingly loose, and frequently it is difficult to ascertain the real rates of rent, or the payment made by a ryot on account."[44]

The commissioner of Patna division fully agreed with the government and emphatically wrote that the nongrant of receipts for the payment of rents deprived the raiyats of an important proof of occupancy. Moreover even after they paid their rents, they did not possess any proof of payment and the zamindar could harass them by sueing for the recovery of rents. He could also bring their lands to auction if the holders happened to be occupancy raiyats. The commissioner made a special reference to the zamindar of Madhuban in Champaran for nongrant of rent-receipts.[45]

Act VIII of 1869 had prescribed that a raiyat, who paid his rent but did not get the receipt properly written with all the details about the year for which it was paid, could recover damages from the zamindar through a court of law. However this provision proved to be of little help to raiyats because of their ignorance and weak social and economic position. Zamindars used to forge bogus rent-rolls to show that the rents paid

44. *Report on the Land Revenue Administration of the Lower Provinces* for 1876-77, p 77.

45. Annual general administration report of Patna division for 1877-78; and Proceedings of Government of Bengal, Revenue Department (Land Revenue), November 1893, Nos 53-61 A.

by raiyats were credited to arrear accounts. Raiyats had no means to prevent these fraudulent practices because the receipts they got showed only the amounts paid. The law courts also had no way out for determining the authenticity of the papers produced by zamindars.

The Bengal tenancy act of 1885 made specific provisions for preventing these malpractices. It prescribed that rent-receipts must contain necessary details about landholding, rent, cess and the year. The zamindars were liable to punishment if they failed to grant properly written receipts. In such cases, where a zamindar refused to accept or was not likely to accept the rent and grant a proper and valid receipt, the raiyat could deposit it in the court, which would then arrange for its payment to him. If the zamindar did not appear, on being summoned, to receive the rent so deposited, the court might direct it to be sent by moneyorder.[46]

However even after these provisions, the situation did not improve much in Champaran. Zamindars either did not grant receipts or granted them in a form which was not legally admissible in a court of law. The raiyats had gradually started taking recourse to paying rent by moneyorders through the court. This practice became more prevalent when indigo planters wanted to utilize section 29, provision (iii) of the Bengal tenancy act of 1885 to enhance the rents. The number of such moneyorders sent through court rose from 1164 in 1904-5 to 3872 and 2842 in 1917-18 and 1918-19. The percentage of moneyorders refused by zamindars and tenureholders also increased from 42.7 in 1904-5 to 51.3 and 53.3 in 1917-18 and 1918-19.

After the enforcement of recommendations of the Champaran agrarian enquiry committee, the disputes regarding sharahbeshi (rent-enhancement) were solved and this was reflected in the number of rent moneyorders sent through court. In 1921-22 the total number of rent moneyorders sent through court declined to 1092 of which 33 per cent were refused by the zamindars and tenureholders. The percentage of rent moneyorders

46. Rampini-Kerr, op cit, pp 190-211.

refused came to 44.78 in 1924-25, 41.2 in 1926-27, 34 in 1931-32, 33 in 1932-33 and 39.72 in 1933-34. Between 1921-22 and 1932-33 78 per cent of the refusals were due to the failure on the part of the raiyats to give full particulars of their holdings or payment by persons other than recorded tenants.[47] Thus on the whole the provision of paying rents through moneyorders succeeded and saved the raiyats from harassment by zamindars. Here it may be noted that the success was to a large extent achieved as a result of the comprehensive survey and settlement operations of 1892-99.

The absence of records not only made tenancies uncertain but also the interference by the authorities difficult in case of disputes. Besides the task of famine relief administration posed serious difficulties because of the lack of records and data on foodgrain production. The Indian famine commission emphasised the need for a field survey in the permanently settled areas in the following words:

"We strongly recommend, as a... necessary step to all improvements in the tenant's status... that the needful steps should be taken to decide and record what the status of every tenant is, and to fix the rent of occupancy-tenants.... The landlord should be, by law, obliged to give every tenant a written statement of all particulars of his holding, and the statement, thus drawn up, should be verified... A rent-roll should be compiled, and should be tested by the administrative officials by means of a periodical inspection of villages.... The landlord should be bound to give a receipt, keeping a counterfoil, in every case of payment."[48]

By the beginning of the last decade of the nineteenth century the government came to the conclusion that there was no way out but a comprehensive survey and settlement operation to obtain an accurate record of the area and situation of all villages and estates, of each tenure and of each raiyat's holding within an estate and of the status of every one who had rights

47. Motihari Collectorate Papers.
48. *The Report of the Indian Famine Commission,* Part II, p 121.

in the land and of the rent paid by each raiyat and tenure-holder.[49]

In this connection it may be mentioned here that the right to conduct survey-settlement operations was reserved by the government at the time of the conclusion of permanent settlement.[50] However nothing was done to effect comprehensive survey of rights of tenants in land and to record them. As early as in 1822 the government proposed a record of rights of permanently-settled districts of Bengal as the only effective means of defining and maintaining the rights of raiyats, all other means having proved useless. Regulation VII of 1822 aimed at "ascertaining, settling, and recording the rights, interests, privileges, and properties of all persons and classes owning, occpuying, managing or cultivating the land, or paying or receiving any cesses, contributions or perquisites to or from any persons resident in or owning, occupying or holding parcel of any village or mahal".[51]

During 1840-50 a preliminary survey of all estates, whether revenue-paying or revenue-free, was made. This was known as thakbast or demarcation survey. It was undertaken to define clearly the boundaries of estates and determine the relation of land to "jama or revenue, by the ascertainment of the areas and boundaries, of estates or mahals".[52] At the time of permanent settlement the information regarding the limits and areas of existing estates was incomplete and in a number of cases very inaccurate. Consequently during the early years of the nineteenth century the collectors of the permanently-settled districts found themselves in the dark as to what land had actually been permanently settled. The true boundaries of the permanently-settled estates were not properly defined and demarcated in

49. Proceedings of Government of India, Revenue and Agriculture Department (Revenue), February 1892, Nos 12-16 A.

50. Proceedings of Government of Bengal, Revenue Department (Land Revenue), November 1893, Nos 53-61 A.

51. Proceedings of Government of India, Revenue and Agriculture Department (Land Revenue), January 1897, Nos 15-30 A.

52. *Guide and Glossary to the Survey and Settlement Operations in the Patna and Bhagalpur Divisions,* p 1.

the papers which the collectors had. People were not slow to push forward cultivation into jungle tracts and other uncultivated areas, not actually covered by permanent settlement; and as the cultivation extended zamindars started collecting rents on the newly-reclaimed areas which were not settled with them. In addition, disintegration of original estates was taking place and this complicated the situation. Estates sold up for arrears of revenue or for other causes were bought in either by the government itself or by private persons. In the diara areas, where there were no stable demarcation signs because of the changing course of the river, very often such estates were difficult to locate physically. This was very true of the diara areas of southwest Champaran. There were clashes among the zamindars to settle their boundary disputes. It became difficult to maintain peace and order without solving the boundary disputes. That is why the thakbast survey was undertaken to settle once for all the boundaries of estates and make such maps for them and collect such information about them as would render disputes impossible in the future.[53]

As early as February 1823 the collector of Saran (Champaran was then a part of the Saran district) informed the government of the difficulties in determining the boundaries of different zamindaris in the district. He was of the view that it was almost impossible to say whether a particular area was within or without a revenue-paying estate because permanent settlement was made without any specification of boundaries.[54]

The government instructed that if a zamindari which had been described by a list of villages at the time of permanent settlement was found to contain an area not included in any of these zamindaris—that area was liable to assessment.[55] However nothing was done to demarcate the boundaries of the zamindaris and stop the clashes arising out of the disputes. The appointment of local informers called goinraits failed to bring

53. Hirst, *Notes on the Old Revenue Surveys of Bengal, Bihar and Assam,* pp 1-3.
54. Motihari Collectorate Papers.
55. Ibid.

any substantial information about the excess area encroached upon by any zamindar.

The first attempt at a village survey in Champaran was made in 1843. The purpose was to demarcate the boundaries of zamindaris of the district and show them on maps. This survey was completed by 1849. The survey was defective in a major way. The surveyors had no conception of the differences between a zamindari estate and a village and they treated the two as interchangeable. That is why they gave the number of permanently-settled estates as 2452 which was wrong. Even at the time of the abolition of zamindari, the number of the permanently-settled estates was only 1548. By 1899 their number had not crossed 1075. However this survey had nothing to do with the determination of tenants' rights in land and the preparation of a record of rights. Another point on which this survey failed was revealed in 1865 when the diara survey was undertaken.

The diara survey was carried out with the object of assessing to revenue all alluvial formations outside the area of the permanently-settled estates and reducing the assessment in cases where the diluvion had cut short the permanently-settled estates. During the course of the diara survey it was found that the revenue survey of 1843-49 had included even the area under the rivers in the permanently-settled estates and held them liable to assessment.

The diara survey discovered an area of 3,51,177 acres as gangbarar (alluvial formations) and liable to assessment. The entire area was in the occupation of the Bettiah raj. On 27 July 1866 the raj was asked to explain why it should not be assessed for the extra area held by it in the diara. The raj produced a parwana issued to it on 11 September 1818 showing that the whole of the diara land formed part of the raj.[56]

It is obvious that both these surveys were not intended to safeguard the interests of raiyats. Since they not only failed to bring about any increase in government revenue but meant a financial burden on it, the government became very cautious

56. Bettaiah Raj Records.

about undertaking any survey operation in future. For more than two decades there was no talk of any survey operation.

In March 1889 the commissioner of the Patna division urged the government to order survey and settlement operations in his division because "the evidence produced from many different places prove that all over the division there is a general uncertainty differing in intensity... transactions between zamindars, indigo planters, and ryots prove that there is uncertainty with respect to tenure... individual ryots are not strong enough to deal... with either of the two parties".[57]

It was also thought that survey-settlement operations would specify the holdings and rents of each raiyat and place in the hands of zamindars means of providing without difficulty what they were entitled to claim, and give to the raiyats the power of resisting illegal and improper claims and extortions.[58]

The secretary of state agreed to the proposal of conducting survey-settlement operations. He observed: "Until an accurate and authoritative record of landed rights is prepared, tenants cannot be protected in the enjoyment of the rights which the hands of zamindars means of proving without difficulty what is essential to the prosperity and contentment of the country."[59]

Champaran was one of the two districts of the Patna division where survey and settlement operations were first undertaken.[60]

57. Proceedings of Government of India, Revenue and Agriculture Department (Revenue), February 1892, Nos 12-16 A.

58. Ibid.

Also see: Proceedings of Government of India, Department of Revenue and Agriculture (Revenue), November 1893, Nos 11-34 A.

59. *Selections from Despatches Addressed to the Several Governments in India between 1st July and 31st December, 1891,* Selection (Revenue) No 95.

60. The following are the dates of survey-settlement operations in the districts of Bihar: Patna 1907-12, Gaya 1911-18, Shahabad 1907-16, Saran 1893-1901, Champaran 1892-99, Muzaffarpur 1892-99, Darbhanga 1896-1903, Bhagalpur 1902-10, Monghyr 1905-12, Purnea 1901-8, Santhal Parganas 1873-79, Ranchi 1902-10, Manbhum 1907-12 and 1918-25, Singhbhum 1897 and 1900-7 and Hazaribagh 1908-

They took place between 1892 and 1899. As soon as the operations began there was stiff opposition from zamindars and indigo planters. There were in the main three arguments advanced by them for stopping the operations: (a) the operations would harass the people and disturb the peace in rural areas, (b) they were unnecessary as the Bengal tenancy act of 1885 had already given full protection to raiyats and (c) the survey-settlement work would impose a financial burden on both zamindars and raiyats because they had to share the cost.[61]

The government rejected the protests and pointed out that a vast number of raiyats would not reap the advantages of the Bengal tenancy act of 1885 until their status and rights were authoritatively ascertained and recorded. Moreover the government was not doing anything new but fulfilling only a long-standing promise made at the time of permanent settlement. A cadastral survey and preparation of record of rights would, far from stirring up litigation and strife, produce peace and lessen disturbances. Further it was desirable that trustworthy statistics were available for enabling the government to foresee the approaching famine or scarcity situation besides meeting the needs of administration.[62]

However the government was so afraid of sabotage by zamindars that it did not employ anyone connected with them or with intermediary tenureholders in making the survey and preparing the records.

15. The first seven districts constituted the Patna division in the nineteenth century.

See: Proceedings of Government of Bihar, Revenue Department (Land Revenue), June 1940, Nos 1160-65.

61. Proceedings of Government of India, Revenue and Agriculture Department (Revenue), May 1892, Nos 60-61 B; Proceedings of Government of Bengal, Revenue Department (Land Revenue), October 1893, Nos 10-11 A; Proceedings of Government of India, Revenue and Agriculture Department (Revenue), May, 1892, Nos 24-28 B; and Proceedings of Government of Bengal, Revenue Department (Land Revenue), December 1892, Nos 21-30.

62. Buckland, op cit, p 893; Proceedings of Government of India, Revenue and Agriculture Department (Revenue), August 1893, Nos 27-30 B.

A very important problem in connection with the survey and settlement operations was the maintenance of the record of rights up-to-date after the operations were over. The Bengal tenancy act of 1885 did not say how the record was to be maintained. Section 109 of the act gave validity to the settlement record because it was framed, attested and published under the close supervision of a gazetted officer. The problem of securing accuracy and validity for mutation entries could be solved if the record was periodically revised in the manner in which it was originally framed. Thus a new law—land records maintenance act of 1895—came into existence. It provided for the maintenance of the record of rights in land in the surveyed area by requiring all classes of occupancy tenants to register all mutations of tenancy rights whether due to succession or transfer. The registration of mutations of nonoccupancy raiyats was not compulsory.[63]

The survey and settlement operations in Champaran during 1892-99 went a long way in securing occupancy rights to raiyats. To quote the survey-settlement report: "The great mass of the raiyats are...settled. They appropriate just under 86 per cent of the total number of holdings and 83 per cent of the cultivated area.... The extent to which security of title has been confirmed to cultivators is fairly illustrated by these figures."[64]

Nonoccupancy raiyats were reduced to a small number. Though they occupied 6 per cent of the holdings, they had only 3.1 per cent of the area.[65] W. W. Hunter has already been cited to show that in 1877 occupancy raiyats did not hold any substantial amount of land. Even two years after the survey-settlement operations began 43 per cent of tenants under intermediary tenureholders were nonoccupancy.[66]

However it must be noted that for the first time after the con-

63. Ibid, August 1893, Nos 27-30 B; and Buckland, op cit, pp 897-98.

64. Stevenson-Moore, *Final Report on Champaran*, p 124.

65. Ibid, Also see: Proceedings of Government of India, Revenue and Agriculture Department (Revenue), July 1894, Nos 39-44 A.

66. Proceedings of Government of India, Revenue and Agriculture Department (Revenue), July 1894, Nos 39-44 A.

clusion of permanent settlement in the district, comprehensive and authentic record of rights became available. The khatians and cadastral maps were prepared for each of the 2860 villages in the district. Each and every plot was numbered and its boundaries defined. Besides, the name of the tenant occupying the plot, amount of rent, nature of tenancy, name of the zamindar and the type of soil were recorded. If there was any local custom as regards the sharing of the produce, that was also noted. The survey-settlement work was a stupendous operation which took 8 years to finish. The survey parties went to each village and inspected each plot, heard oral evidence and objections and examined documents before arriving at conclusions.

As a result of the decision of the government of Bengal that the record of rights should be revised after the expiry of 15 years from the completion of the original survey-settlement operations, a revisional survey-settlement operation was undertaken during 1913-19. The operation, besides bringing the record of rights up-to-date, went into many issues of disputes between tenants and indigo planters.[67] The important issues dealt at length included enhancement of rent, indigo cultivation on a fixed portion of holdings of raiyats as incident of tenancy, rights of tenants and zamindars in trees and hides, the question of abwabs, etc.

There were two major enactments made by the government to regulate the raiyat-zamindar relations during the 19th century.

The first important tenancy law was act X of 1859 which was called the 'first modern tenant law' by Baden-powell.[68] Some of the provisions of this law have already been discussed earlier and we need not go into them again.

Besides making a renewed attempt to get the patta regulations implemented and rent-receipts issued to raiyats, this act brought about major changes in the mode of acquisition of occupancy rights by raiyats. It abolished zamindars' power to compel attendance of raiyats at their offices and modified the distraint re-

67. Ibid, January 1911, Nos 12-14 A and June 1911, Nos 2-3 A.
68. Baden-Powell, op cit, Vol I, p 641.

gulation by enacting that distraint could be made only for the rent of one year and before distraints a written notice specifying the details of demand was required to be given.

In spite of the good intentions of the framers of act X of 1859, it failed to do much good to raiyats. Raiyats failed to prove their 12-year continuous possession over the plots cultivated by them to acquire occupancy rights. Baden-Powell rightly remarked: "It gave, or professed to give, the raiyat a right which he could not prove...."[69] Even the arbitrary enhancements of rents which this law wanted to stop continued because the raiyats in Champaran did not have occupancy rights over the plots they cultivated, that is why they had no locus standi in the eyes of the law to challenge enhancements. The act had laid down that the existing rent would be presumed to be fair and equitable till the zamindar showed the contrary by proving that it was less than the prevailing rate paid by the same stratum of raiyats for land of similar description and with similar advantages in the neighbourhood or the value of the produce or the productivity of land had increased owing to the efforts of agency other than the raiyat or the area of land held by him was more than what was recorded in the patta or jamabandi.

Serious agrarian disturbances in Pabna in 1873 focused attention on the question of reform of existing tenancy law.[70] The famine commission of 1874 emphasised the need for putting the raiyat-zamindar relations on a definite and sound basis. The agrarian disputes act of 1876 was thus passed as a temporary measures and a bill dealing with the principles of rent-fixation was prepared in 1876, but was dropped because the government of Bengal felt the need for a thorough examination of the existing tenancy law. Consequently the rent law commission was appointed.[71]

There was a clear realisation in government circles that what was wanted in Bihar was some ready means of enabling the raiyat to resist illegal distraint, illegal enhancement and illegal

69. Ibid, p 647.

70. Sen Gupta, *Pabna Disturbances and the Politics of Rent: 1873-1885.*

71. Wigley (ed), *A Commentary on the Bengal Tenancy Act,* p 25.

cesses and to enable him to prove and maintain his occupancy rights. The government intended to bring the law within the easy reach of raiyats who could not afford to sue for their rights because of their backwardness and poverty, the tediousness and expense involved in suits and the system of zamindari accounts by which were meant "loose papers, written up in the course of one night".[72]

The rent law commission noted that in Champaran and other districts of north Bihar it was ordinarily beyond the power of raiyats to prove rights of occupancy because of the lack of documentary evidence. Hence it proposed the following urgent steps: (a) improvement in the system of keeping zamindari accounts, (b) compulsory interchange of patta and kabuliyat, (c) grant of rent-receipts, and (d) stopping the amalgamation of fresh lands with existing holdings of raiyats.[73]

The Bihar rent committee, on whose recommendations the abovementioned proposals were based, had said: "... the changes which we propose confer no novel rights upon the ryots; ... they impose no novel obligations in zamindars; ... they for the most part merely declare and define the existing law, and ... they are strictly consistent with the fullest recognition to the rights which were conferred by the permanent settlement...."[74]

The government while discussing the report of the commission realised that "the people who plough and sow and who ought to reap have not a reasonable assurance as to the fruits of their industry".[75] Thus "a system of holdings guaranteed by conditions of permanency and protected from arbitrary enhancement of rent will tend to promote the accumulation of property, the sound growth of credit and the progress of agricultural improvement".[76] The intention of the government was clear—it wanted to give secure and certain tenancy rights to raiyats so that the entire surplus produced by them was not

72. *Papers Relating to Rent Law in Bihar: 1877-78*, p 1.
73. *The Report of the Rent Law Commission*, Vol II, p 245.
74. Ibid, p 246.
75. *Selections from Papers Relating to the Bengal Tenancy Act, 1885*, p 7.
76. Ibid, p 11.

taken away and the accumulation of capital and investment took place leading to an increase in agricultural productivity. With these objectives in view the Bengal tenancy act of 1885 was placed on the statute book.

The zamindars attacked the Bengal tenancy bill when it came before the legislature and asked the government to withdraw it. An extraordinary meeting of the Bihar landholders' association was held on 28 May 1882 and the chief spokesman, the maharaja of Darbhanga, described the proposed law as unnecessary. He said: "What I mean to say is that a ryot understands his own interest a great deal better than anybody else, and it is useless for the legislature to think that it can protect his interest better than the ryot can himself. My own opinion is that the government, in proposing to legislate after this fashion, seems to think that the ryot is a child, and the zamindar a monster."[77]

In a petition to the House of Commons, the zamindars of Bihar opposed the bill. They said: "... there may be bad landlords in Behar as well as in other countries, but they maintain that the existing laws if properly administered are amply sufficient to give protection to the meanest ryot, without resorting to enactments which are subversive to the rights of property and shake the confidence of the people in the justice of the government."[78]

The government rejected the appeals of zamindars because it had come to the conclusion that any delay in putting the raiyat-zamindar relations on a definite basis was bound to lead to serious disturbances which would be harmful to the existence of British rule. The Pabna uprising and the disturbances in Champaran beginning with a riot at Joketia were sufficient indicators for it.

The important changes introduced by the Bengal tenancy Act were:

(1) A raiyat could become a "settled raiyat" and acquire right of occupancy in all the lands he held in a village, provided he had held any of those lands for 12 years in the same village.

77. Ibid, p 39.
78. Ibid, p 321.

It was not necessary that he should have held all the lands for 12 years as was the case before. If he had held any land for 12 years in a village, he acquired occupancy rights in all the lands he held.

(2) In any proceeding between a raiyat and his zamindar it was to be presumed that the raiyat was a settled raiyat until the contrary was proved or admitted.

(3) The grounds on which a settled raiyat's rent might be enhanced were modified and the enhancement of his rent by suit was facilitated; but on the other hand the enhancement of his rent by contract was restricted.

(4) If an occupancy raiyat's rent was once enhanced by contract or suit, no suit for the further enhancement of his rent, except on the ground of landlord's improvement, would lie until after the expiry of fifteen years.

(5) An occupancy raiyat or his zamindar was empowered to apply for commutation of rent payable in kind to a money-rent.

(6) A nonoccupancy raiyat could be ejected at the will of his zamindar only if he had been admitted to the occupation of the land under a registered lease, and after the service on him of a six-month notice to quit, and within six months of the expiry of the term of his lease.

(7) A nonoccupancy raiyat who objected to pay an enhanced rent could have his rent fixed by the court. If the raiyat refused to pay the rent so fixed he could then be ejected. But if he agreed to pay it, he was entitled to remain in occupation of the land at that rent for five years.

(8) A zamindar was bound to retain the counterfoil of every rent-receipt he gave to a raiyat. The receipt had to contain certain specified particulars and every raiyat was entitled at the end of each year to a receipt in full or a statement of account up to the close of the year. Besides, a rent-receipt which did not contain substantially the particulars required by law would be presumed to be a receipt in full up-to-date.

(9) Provisions were made for raiyats making improvements in their holdings and for their recovering compensation for them in the event of eviction. A system of registering improvements,

whether made by the raiyat or by the zamindar, had also been introduced.

(10) Power was given to a zamindar to acquire, with the sanction of the collector, the land from his raiyats' holdings for building, religious, educational or charitable purposes.

(11) No raiyat could be ejected except in execution of a decree.

(12) Provision was made for conducting a survey and settlement operation and the preparation of record of rights.

(13) Restriction was placed on the conversion of ordinary raiyati land into zirat land of the zamindar in order to prevent the zamindar in future from putting obstacles in the way of acquisition of occupancy rights by his raiyats.

(14) The zamindar's power of distraint was curtailed. A landlord could distrain only through the civil court; the raiyat was entitled to reap, gather and store the produce and to do anything for its preservation.

(15) A zamindar could no longer harass his raiyat by instituting successive suits for arrears of rent against him. Three months must elapse between each successive rent-suit.

(16) A decree for arrears of rent could no longer be executed by anyone who had not acquired the landlord's interest in the land; but on the other hand the holder of a decree for arrears of rent was no longer subject to any restrictions in the execution of his decree. He was not bound to proceed in the first instance against the movable property and person of his debtor, then against the tenure or holding itself on which the arrears had accrued and finally against other immovable property of the raiyat, but was at liberty to execute his decree in any way that was lawful under the civil procedure code; while the raiyats' tenure or holding was hypothecated for the rent, and no transfer of it was valid while the arrears of rent which had accrued on it remained unsatisfied.

Amendments were introduced afterwards to elaborate certain clauses or remove vagueness in some others. However the basic structure or major features of the Bengal tenancy act remained intact.

To sum up, the intention of the framers of permanent settle-

ment was to give extensive rights to raiyats with a view to secure for them fixity of tenures as well as rents, but their intentions could not be realised. They could not assert in practice whatever rights were given to them in law mainly because the mechanism of ensuring these rights did not work. For instance the failure of the patwari system resulted in the lack of authentic and reliable record of rights and rent-rolls. Consequently raiyats did not have any evidence to prove their occupancy over their holdings and the actual amounts of rents payable. Whenever zamindars or intermediary tenureholders sought an enhancement of rent, they simply demanded the enhanced rent as being the existing rent. Raiyats having no documentary evidence in their possession were unable to resist the demand of zamindars and check their arbitrary actions. With the increasing pressure of population on land the bargaining power of raiyats declined.

The failure of patta regulations and the lack of reliable evidence in the absence of comprehensive record of rights, coupled with the refusal of zamindars to grant rent-receipts, reduced a large number of raiyats to the status of mere tenants-at-will.

Law courts which were supposed to be an agency of enforcing the provisions of permanent settlement also complicated the matters. Their various rulings at times negated the rights of raiyats. For instance the Calcutta high court ruled (in the case or Roy Udit Narain Singh vs Obekram Singh, 28 August 1865) that cultivation by a raiyat for 12 years on the face of it led to the presumption of a right of occupancy, but it was qualified by section 7 of act X of 1859 which excluded all cases in which the land was held under an express written contract irrespective of the period.[79]

In another judgment (vide case No 3147 of 1866 dated 19 June 1867) the Calcutta high court laid down that a zamindar, on the death of an occupancy raiyat, was entitled to let his land to whomsoever he pleased. A relation of the deceased was not entitled to succeed by inheritance and did not have the power to set aside the arrangement made by the zamindar for letting

79. Proceedings of Government of India, Home Department (Public), July 1869, Nos 131-32 A.

out the lands to some other raiyats. The result was that the mass of raiyats never believed that they possessed any right of occupancy which could not be terminated by the zamindars at their pleasure. Even the commissioner of the Patna division believed that occupancy rights were not inheritable.[80]

Till the enforcement of the Bengal tenancy act of 1885 and the completion of survey and settlement operations in Champaran during 1892-99 along with the preparation of record of rights and cadastral maps, there was uncertainty about tenancy and rent. This uncertainty was bound to affect adversely the capacity and incentive of the raiyats. Because of this uncertainty the raiyats did not get remunerative price for indigo and prevailing rates of wages and payments for cart-hire.

80. Ibid.

Chapter Six

RURAL ECONOMY OF CHAMPARAN UNDER PERMANENT SETTLEMENT

There were some distinguishing features of rural economy in Champaran. First, unlike the neighbouring districts of Muzffarpur and Saran, Champaran was throughout the period of permanent settlement "a district of big landlords". In spite of the fact that the number of the petty zamindars increased up to over 1500 at the time of abolition of zamindari, the three big zamindars continued to have 75 per cent of the district under then. These three were local chiefs and because of their social and political hold over the district they were preferred for reasons of administrative convenience to farmers in the matter of revenue settlement. In contrast, "Innumerable petty estates.... justified the preference for farmers over proprietor's in Tirhut and Saran as simplifying administration".[1]

This situation in Champaran was an important factor in giving rise to intermediary tenures and their proliferation. At one point of time as much as 91 per cent of the total rental of the biggest zamindari—Bettiah—was collected through intermediary tenures. In the neighbouring districts the proliferation of the intermediary tenures was not of much consequence. For example during 1892-99 in Muzaffarpur the mukarrari tenure accounted only for 2.4 per cent of the area of the district of which 1.3 per cent was held by European planters.[2]

Another feature of Champaran was the low density of population and availability of extensive tracts of unculti-

1. Stevenson-Moore, op cit, p 26.
2. Ibid, p. 310.

vated land. This encouraged inflow of the people from neighbouring districts. Till the 1850s the area to the west and northwest of Bettiah town was largely under jungles where for miles the people did not find any inhabitations except some hermits' abode.[3] At the time of permanent settlement the collector of Saran (Champaran was a part of Saran till 1866) reported: "Champaran is not above a quarter cultivated."[4] Even after a period of over 8 decades, Champaran had enough uncultivated and virgin land to place it in a different category than other neighbouring districts of north Bihar. Table 6.1 shows this point.

Table No 6.1

TOTAL AREA AND THE CULTIVATED AREA IN FOUR DISTRICTS OF NORTH BIHAR (1876)

District	*Total area in sq. miles*	*Cultivated area in sq miles*	*Cultivated as percentage of the total area*
Muzaffarpur	3003	2240	74.5
Darbhanga	3665	2600	70.9
Saran	2622	2360	90.0
Champaran	3531	2250	63.7

Source : Proceedings of Government of India, Revenue and Agriculture Department (Revenue), July 1893, Nos 36-37 A.

Champaran has been all along an area of low density in north Bihar (see Table 6.2). This has encouraged immigration into this district.

3. Bettiah Raj Records.

4. Motihari Collectorate Papers.

Table No 6.2

DENSITY OF POPULATION IN THE DISTRICTS OF TIRHUT DIVISION (1872 TO 1951)

District	1872	1891	1911	1931	1951
				(*per square mile*)	
Saran	774	919	853	927	1182
Muzaffarpur	740	894	937	969	1167
Darbhanga	638	837	875	946	1127
Champaran	408	527	540	608	708

Source : Census Reports from 1872 onwards.

These two features which distinguished the district had their impact on the rural economy of the district.

From the social point of view the entire rural hindu population could be divided into three categories, viz upper-castes, lower-castes and untouchables or scheduled castes.

Among the upper-caste hindus were included brahmins, rajputs, bhumihars and kayasthas. To the second category belonged a large number of castes consisting of either craftsmen or men pursuing certain types of profession. Among them the prominent were ahirs or gwallas (milk-men), koeris (vegetable growers), kurmis, kahars and turhas (domestic servants, fruit vendors and palki-bearers), kandus (confectioners), kalwars (sellers of liquor), barnwals and roniyars (traders and shopkeepers), sonars (goldsmiths), barhis (carpenters), lohars (black smiths), kumhars (potters), baris (gardeners and messengers), nais or hajjams (barbers), telis (oil pressers), barais (betelnut growers and sellers), dhanuks (rope-makers) and mallahs, kewats and binds (fishermen and boatmen).

In the third category were placed the socalled untouchables like chamars (shoemakers), dhobis (washermen), dusadhs, kanjars, mehtars (sweepers), musahars, nats (acrobats), pasis (toddy-tappers), etc. Mehtars have also been known as bhangis, dharikars, halalkhors and lalbegis. These castes were engaged in crafts and professions of the kind that were looked down upon by hindu orthodoxy.

In Champaran there is a caste belonging to hindu society, viz tharu, about which there has been some controversy. For some time the government treated it as a scheduled tribe and there were loud protests from tharus. They are now treated as part of hindu society and included in the second category of castes. They have been mainly confined to the Bagaha and Shikarpur revenue thanas and there also they are generally found near the Indo-Nepal borders. In 1891 tharus accounted for 1.4 per cent of the population of the district.

Each hindu caste is divided into a number of subcastes. Every subcaste is a smaller endogamous group within a caste. The reasons for the formation of the subcastes have been varied. "Even residence or settling down in different region away from the original homeland for long stretches of time has led to the formation of different subcastes."[5]

In Champaran the population of the scheduled tribes was not significant at any point of time. Their population was never even 0.1 per cent of the district total. As has been said earlier, indigo planters brought about 250 familes of tribals from Ranchi and settled them near factories to work as labourers. They came to be known as dhangars.

Christians did not have any importance in the rural society. They were generally local converts and were concentrated in and around Bettiah town. They depended on nonagricultural professions for their livelihood.

So far as muslims were concerned sheikhs who accounted for about 3.4 per cent of the total population were treated on par with upper-caste hindus. They were cultivators though 40 per cent of them worked as agricultural labourers in 1891. Among the rest of the muslim community were included artisans like jolahas and dhunias and professionals like dhobis, hajjams, etc. In the rural society of Champaran there was not much difference

5. Diwakar, (ed), *Bihar Through the Ages,* pp 688-89. For the number of subcastes in each caste, see O'Donnel, *The Census of India,* 1891, Vol V, pp 2-8 and 76.

between hindu artisans and muslim artisans or hindu professionals and muslim ones.

About twenty-five castes were generally present in almost every revenue thana or a cluster of villages. Prominent among them were brahmin, bhumihar, rajput, barhi, barai, chamar, dhobi, dom, ahir, kahar or turha, lohar, kandu, kayasth, kumhar, kurmi, hajjam, sonar, teli, baniya and jolaha.

The following description gives a picture of a typical Champaran village under permanent settlement: The brahmin had a home in every village as family or temple priest, or he was in secular employment as teacher, orderly, cook to rich landholders, or in other superior (nonmanual) jobs. The rajput also played a similar secular role. He was a cultivator or a thikadar or a zamindar. Sometimes he sought service in the army or the police or as a gatekeeper of some rich employer. Wherever half a dozen huts clustered together, the baniya set up his petty shop and started his moneylending business. No village could be complete without its oilmen (teli) or its carpenter (barhi) who repaired ploughs and other agricultural implements, built the houses and supplied wood for cremation of the dead. No less necessary was the cobbler (chamar) who skinned the carcasses of the village cattle, made the cartman's whips, acted as announcer of news and orders by drum-beating, and kept in repair the shoes of the village-folk while his wife had the monopoly of obstetric service. The washerman (dhobi) and the barber (hajjam) were as indispensable to a people hedged round by ceremonial observances as scavangers (dom, mehtar) were for removal of unclean substances and for maintenance of sanitation. The services of the blacksmith (lohar) were wanted every day and the potter (kumhar) made the earthen plates and bowls which nine-tenths of the people used for cooking and eating purposes. The confectioner (halwai or kandu) was a necessity among a people whose food was almost wholly farinaceous and who were obliged to have it in a portable form so that they could eat it under the shadow of a tree

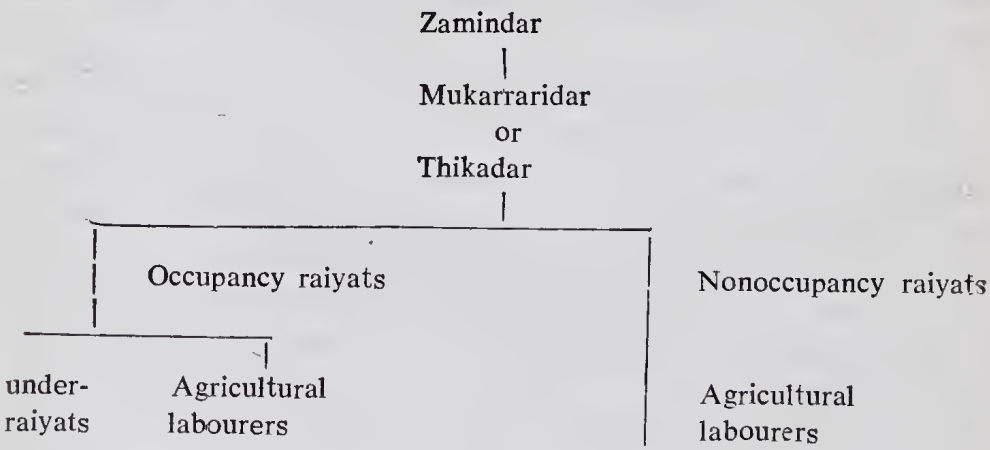
or by the roadside whenever they found the leisure to do so. The petty luxuries of village life were provided by kalwar who sold wine and by the pasi who dealt in toddy and by the barai and tamoli who grew and vended the aromatic pan-leaf and the astringent betelnut. Tantwa or jolaha was weaver of coarse clothes which villagers used and the mali or bari grew flowers for the local temples or for frequent festivals and along with koeri grew the better kind of vegetables. All these people worked for a community that largely consisted of cultivators and herdsmen. Kurmis and kahars were domestic servants of the well-to-do of the community. Besides, kahars were indispensable as carriers of palakis at all weddings and dolis when women belonging to the upper-castes went from one place to another. Ahirs dealt in milk and milk-products. Rivers and lakes of the district supported a large number of boatmen (mallahs, gorhis, kewats and binds) who were also skilled fishermen. Kayasth, who once shared with the brahmin the monopoly of learning, still thrived in every village as schoolmaster, village accountant (patwari) or the landlord's confidential secretary. Nuniyas were manufacturers of coarse salt and saltpetre used in gunpowder. Dusadhs acted as watchmen (paswans) and peons to zamindar. Babhans or Bhumihars were landholders and zamindars.

The services by the professionals were part of the jajmani system. Their share in the total agricultural produce of a peasant was determined by custom. For example the village carpenter (barhi) had the right to take a certain part of the standing crop of the peasant at the time of harvest. His share varied according to the number of ploughs that the peasant had. The same applied to barbers, washermen and blacksmiths. However at the time of ceremonies they got extra remuneration fixed by custom. Family priests got a small share of the total produce of peasants which was locally called rasigar. Before weighing the produce of a plot after harvest every peasant was required to keep apart a small quantity of the pro-

duce which seldom exceeded one seer as rasigar and it was delivered to the family priest whenever he turned up.

Thus all these castes depended more or less directly on agricultural production of the village where they lived and the failure of crops affected all of them, though not to the same extent.[6]

In a typical Champaran village one found the following situation: On the top was a big zamindar (say Bettiah raj), below him was an intermediary tenureholder (in the case of the Bettiah raj, an indigo planter as mukarraridar or thikadar) under whom came occupancy and nonoccupancy raiyats. Generally, occupancy raiyats with large holdings sublet a part of their holdings to sharecroppers of different varieties who were lumped together as under-raiyats. The occupancy raiyats particularly those belonging to the four upper hindu castes relied on labourers in agricultural operations. While choosing under-raiyats, the occupancy-raiyats preferred their agricultural labourers. Generally in the villages dominated by petty zamindars intermediary tenureholders were absent. Petty zamindars had a part of their zamindaris as zirat which they cultivated with the help of agricultural labourers who were generally their raiyats.



6. My own paper "Socio-economic Roots of Casteism in Bihar" (written in collaboration with Braj Kumar Pandey) in Gupta, (ed), *Transition From Capitalism to Socialism and Other Essays*, pp 151-217.

Now if one puts together the caste-composition and the economic structure of rural Champaran during the period of permanent settlement, one comes across some very interesting conclusions. The data presented by the survey and settlement operations of 1892-99 show that though the upper-caste hindus numbered only 2,27,053 (i.e. 12.2 per cent of the total population) out of 18,59,465, they dominated the economic and social life of the district. None of them worked as agricultural labourers. They were zamindars, rent-collectors, clerks, priests and cultivators besides working as teachers, doctors and lawyers.[7]

The proportion of agricultural labourers was larger among the lower castes. Table 6.3 based on the data presented by the survey and settlement operations of 1892-99 is quite revealing. It makes it clear that a caste which was lower in the social hierarchy was also economically weaker.

Table No 6.3

PROPORTION OF AGRICULTURAL LABOURERS IN THE POPULATION OF MAJOR CASTES IN CHAMPARAN (1892-99)

Caste	*Total population*	*Number of agricultural labourers*	*Percentage of agricultural labourers to the total population*
(1)	(2)	(3)	(4)
Ahir	1,83,732	70,000	38.1
Rajput	86,440	nil	nil
Brahmin	84,493	nil	nil
Koeri	1,08,877	33,643	30.9
Bhumihar	28,496	nil	nil
Kayasth	27,624	nil	nil

7. Stevenson-Moore, *Final Report on Champaran,* p 17.

(1)	(2)	(3)	(4)
Kurmi	96,145	45,092	46.9
Jolaha	80,358	44,036	54.8
Kandu	68,588	31,277	45.6
Dusadh	91,452	46,823	51.2
Mallah	63,070	31,409	49.8
Chamar	1,26,997	73,531	57.9
Kalwar	33,796	nil	nil
Nunia	52,903	38,197	72.2
Turha	26,775	13,441	50.2
Hajjam	27,239	5,000	18.3
Kumhar	24,954	11,204	44.9
Bind	27,331	13,408	49.0
Dhanuk	11,460	5,272	46.0
Dhunia	26,994	15,467	57.3

Source : Stevenson-Moore, *Final Report on Champaran,* p 17.

Towards the close of the nineteenth century eight castes, viz, brahmin, rajput, bhumihar, kayasth, ahir, koeri, kurmi, and sheikh—who accounted for only 36.4 per cent of the population of the district—had 60 per cent of the occupied area under them. This along with the data presented in Table 6.3 emphasises the fact that as one moved down the social ladder, one found the incidence of landlessness increasing. Table 6.4 based on a sample survey of 180 villages conducted by the first survey and settlement operations throws interesting light on the distribution of landholdings among the important castes.

Table No 6.4

DISTRIBUTION OF LANDHOLDINGS AMONG IMPORTANT CASTES IN 180 VILLAGES OF CHAMPARAN (1892-99)

Caste	*Share in the total district population*	*Average size of holding*	*Percentage of holding to total*						*Total number of holdings*
			under one	*1-2*	*2-3*	*3-4*	*4-5*	*over 5*	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Ahir	9.9	4.2	18.6	19.5	14.7	10.6	8.6	28.0	3876
Rajput	4.7	6.0	14.9	15.3	13.1	9.1	7.8	39.8	2642
Brahmin	4.5	4.2	23.8	19.9	13.7	8.8	7.1	26.7	3477
Koiri	5.9	4.8	15.1	15.8	15.3	11.8	8.4	33.6	2254
Bhumihar	1.5	6.4	17.5	15.9	11.6	8.5	7.1	39.4	1582
Kayasth	1.5	5.8	15.1	17.1	14.9	9.6	7.9	36.3	1342
Kurmi	5.2	3.5	26.1	20.8	14.5	10.5	7.7	20.4	1646
Sheikh	3.4	4.6	19.4	19.4	14.1	9.6	6.2	31.3	1255
Teli	3.2	3.8	19.9	21.9	16.4	10.4	7.7	23.7	1265
Jolaha	4.3	2.7	32.9	21.9	15.4	8.8	5.8	15.2	1412
Kandu	3.7	3.3	24.0	21.6	16.7	11.2	6.8	19.7	1203
Mallah	3.4	3.1	25.6	24.2	14.9	9.1	7.5	18.7	1150
Dusadh	4.9	2.7	30.2	21.0	15.3	10.6	7.4	15.5	1261

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Chamar	6.8	2.2	34.6	23.3	16.5	10.7	5.8	9.1	1587
Kalwar	1.8	4.2	20.1	16.6	17.0	12.0	8.5	25.8	698
Nunia	2.8	2.8	26.6	26.7	14.0	9.8	6.9	16.0	807
Lohar	1.5	3.1	23.9	22.9	16.1	10.7	7.6	18.8	514
Dhobi	1.2	3.1	21.8	23.3	16.4	12.0	8.4	18.1	508
Turha	1.4	2.6	26.3	23.9	18.2	11.7	7.9	12.0	506
Hajjam	1.5	2.4	30.6	24.7	17.9	7.6	6.3	12.9	542
Kumhar	1.3	3.1	22.7	22.2	16.9	13.5	6.7	18.0	415
Bind	1.5	2.8	27.7	26.9	16.7	9.1	6.2	13.4	448
Atitha	0.6	4.7	25.2	19.6	16.3	8.9	4.8	25.2	270
Dhanuk	0.6	3.6	28.5	17.5	14.2	9.8	8.8	21.2	274
Tatwa	1.7	2.0	39.8	21.7	17.2	8.2	4.9	8.2	488
Gorhi	0.3	3.3	24.7	20.4	15.3	11.1	10.1	18.4	288
Dhunia	1.5	2.5	31.1	26.2..	13.5	9.9	6.6	12.7	363
Barai	0.6	3.5	17.3	21.3	14.0	14.5	9.2	23.7	207
Tharu	1.5	9.3	15.8	13.2	5.3	10.5	2.6	52.6	38
Others	2.8	3.3	31.0	21.4	13.8	8.8	5.7	19.3	4007
Average		3.9	23.6	20.2	14.8	9.9	7.2	24.3	...

Source : Papers connected with survey and settlement operation in Champaran during 1892-99.

Out of the total number of holdings of 180 villages amounting to 36,325, more than 53 per cent (i.e. 19,339) were accounted for by only 9 castes, viz, ahir, rajput, brahmin, koeri, bhumihar, kayasth, kurmi, sheikh and teli. They accounted for only 39.8 per cent of the total district population.

If the percentage of holdings over 5 acres is taken as a rough index of prosperity only ahirs, rajputs, brahmins, koeris, bhumihars, kayasthas, sheikhs, kalwars, atithas and tharus had more than 25 per cent of their holdings in each case in this category. In fact in the case of tharus 52.6 per cent of the holdings were more than 5 acres. This was because they inhabited the northern-most part of the district where there was not much competition for land. Because of the unhealthy climate of the northern portions of the Bagaha and the Shikarpur thanas, up to the end of the nineteenth century the inflow of population from other parts of the district and out side the district was very slow. The main problem there was how to bring fallow land under the plough. To give incentives to tharus who had been living there for a long time certain measures were adopted. For example tharus did not have to pay rent according to the area under cultivation but according to the number of ploughs they operated.

At the time of permanent settlement only 25 per cent of the total area was under cultivation. By 1876 it increased to 63.7 per cent, and between 1876 and 1899 to 70 per cent. However between 1899 and 1919 there was a fall in the area under cultivation. It declined to 69 per cent of the total area of the district. This was due to three things. First, a little over 8000 acres of cultivated land was acquired after 1899 for railways and canals. Second, there was a serious setback to agricultural development as a result of the famine of 1897. Last, the population of the district declined between 1891 and 1901 and during the decade 1911-21 it increased by only 1.7 per cent.

Since 1913-19 there has been a continuous increase in

the cultivated area. Table 6.5 shows the extension of cultivation in the district.

Table No 6.5

EXTENSION OF CULTIVATION IN CHAMPARAN (1892-99 to 1951)

Year	*Total cadastrally surveyed area (in acres)*	*Cultivated area (in acres)*	*Cultivated area as percentage of the total cadastrally surveyed area*
First survey and settlement operations (1892-99)	20,79,815	14,47,668	70
Revisional survey and settlement operations (1913-19)	20,77,735	14,29,859	69
1931	20,77,894	14,96,649	72
1951	20,70,400	16,63,958	80

Source : Motihari Collectorate Papers.

The variation in the total cadastrally surveyed area has been mainly due to the changing course of the rivers, particularly that of Gandak. The figures do not take account of about 1,85,600 acres of land covered with hills and jungles.

The extension of cultivation in Champaran has been mainly due to the increasing population pressure in the district. The density of population increased from 540 per square mile in 1911 to 608 in 1931 and to 708 in 1951. If one takes the first half of the present century the percentage of the total population dependent on agriculture remained almost the same. It was 94 per cent in 1901 and 93.85 per cent in 1951.[8]

8. Prasad, *District Census Handbook (1951): Champaran,* p 173.

At the time of the first survey-settlement operations of 1892-99 three per cent of the cultivated area in the district was left uncultivated every year while it was only one per cent in the neighbouring districts of Saran and Muzaffarpur[9]. This indicated the scope for extension of cultivation in Champaran. In the Bettiah subdivision the proportion of current fallows was as high as 4 per cent of the cultivated area.[10] The reason why the percentage of the cultivated area in the total cadastrally surveyed area was lower in Champaran and a higher percentage of the cultivated area was left fallow every year was mainly that farmers could not cultivate more land with the help of the available implements and irrigation facilities. There was complete absence of any largescale irrigation works in the district. Without irrigation facilities it was difficult to bring all the upland, particularly in Motihari subdivision, under cultivation. Wells were not enough to provide water to all the upland. The irrigation facilities were so poor as not more than 2 per cent of the cropped area was ever irrigated in Champaran during the nineteenth century.[11]

Crops in Champaran as elsewhere in Bihar may be grouped under three heads, viz bhadai (autumn), aghani or khariff (winter) and rabi (spring). Under bhadai were rice, maize, marua, kodo, janera (masuria variety), cheena, indigo, hemp and flax. Aghani included rice, sweet-potato, janera (aghanwa) and sugarcane. Under rabi came wheat, barley, oats, arhar, khesari, gram, peas, potatoes, masur, linseed, mustard, poppy and tobacco.

Not much information is available about the distribution of the net cropped area among different harvests or crops. The revenue surveyor who referred to the crop-pattern in 1847 said only this much: "The harvests are bhadai, khariff (aghani) and rabi, and the principal crops are paddy of various qualities, barley, poppy, indigo, arhar, maarh,

9. Stevenson-Moore, *Final Report on Champaran,* p 104.
10. Ibid.
11. Ibid, p 108.

maize, vetches and peas, oilseeds and a variety of edible crops. The staples are however rice, poppy and indigo."[12]

Table 6.6 throws light on the pattern of harvest in the district towards the end of the nineteenth century.

Table No 6.6

PATTERN OF HARVEST IN CHAMPARAN (1892-99)

Harvest	*Area in acres*	*Percentage of the net cropped area (14,47,668 acres)*
Bhadai	6,64,437	46
Aghani	5,56,279	38
Rabi	7,99,622	55
Double cropping	5,72,670	39

Source: Stevenson-Moore, op cit, p 108.

It is clear that there was a very large area under bhadai, though rabi was the most important of the three harvests. Besides the proportion of the double-cropped area was quite significant. However these facts can be fully appreciated when one looks deeper and discovers that rabi consisted mainly of inferior crops like khesari, oats and barley, which were just broadcast in the fields in which paddy had been transplanted during September-October. In fact double-cropping was to a large extent mixed cropping.

The average gross value of the agricultural produce was estimated at Rs 3,52,68,908-4-6 per annum during 1892-99. The most important crop was rice which accounted for Rs 1,74,33,773-12-0. Rice was followed by wheat which contributed Rs 20,52,842-8-0.[13] The predominance of rice crop is clear from Table 6.7 which shows the percentage of the net cropped area under rice in different thanas of the district.

12. Motihari Collectorate Papers.
13. Stevenson-Moore, *Final Report on Champaran*, p 161.

Table No 6.7

AVERAGE YEARLY PERCENTAGE OF NET CROPPED AREA UNDER RICE IN DIFFERENT THANAS OF CHAMPARAN (1892-99)

Thana	*Average yearly percentage of the net cropped area under rice*
Adapur	85
Shikarpur	80
Bagaha	56
Dhaka	55
Bettiah	50
Gobindganj	35
Motihari	35
Kesaria & Madhuban	32
District as a whole	54

Source: Stevenson-Moore, *Final Report on Champaran,* p 158.

Taking the district as a whole 76 per cent of the net cropped area was under food crops and rice was grown on 54 per cent of the net cropped area.

From Table 6.7 it is obvious that the importance of rice crop in the northern and eastern thanas of the district was much more. This was because of the fact that these thanas received more rainfall and had irrigation facilities also. In Bagaha and Shikarpur 4 and 5 per cent respectively of the net cropped area had irrigation facilities. The eastern thanas of Adapur and Dhaka had 4 and 3 per cent respectively of their net cropped area under irrigation. Rest of the thanas did not have any irrigation facilities.

Among the nonfood-crops, the important ones were indigo, oilseeds, thatching grass and poppy. Indigo and oilseeds claimed 6.63 per cent and 6.49 per cent respectively of the net cropped area while thatching grass and poppy were grown on 4.66 and 3.71 per cent respectively.[14]

14. Stevenson-Moore, *Final Report on Champaran,* p 111.

Thus there was no diversification in the crop-pattern. In fact rice crop continued to be the dominant crop. Whether it was autumn-rice or winter-rice it was dependent on the monsoon. Secondly, there was utter lack of irrigation facilities. These two features made the rural economy of the district extremely precarious.

The reliance on rice crop which mainly depended on the monsoon made the rural population prone to famines. This district was the worst sufferer from famines in spite of the fact that rents were low, population was sparse, the land available for cultivation was ample and of good quality.

During the period of permanent settlement there was no major famine in the district in the first half of the nineteenth century. However in 1803 and 1823 scarcity conditions prevailed. The first major famine occurred in 1865-66, which was the result of untimely rains in 1864. Rains commenced late in June 1864. Consequently the sowing of paddy seeds was delayed. This was followed by excessive rainfall in July and the seedlings transplanted in the low lands were swamped. Whatever paddy plants were left, they failed to bear grains because there was no rain in October. The yield of paddy crop in 1864-65 was only 25 per cent of the normal yield. As a result of the early cessation of rains, a large portion of the land ordinarily devoted to rabi crops did not have sufficient moisture and it therefore remained unsown. This led to a fall in production which normally supplemented the paddy crop (rice crop) in feeding the population.[15]

The supply of foodgrains was further reduced by the drain on old stocks because of an excessive exportation in 1864-65.[16] Moreover an important source of foodgrains—

15. Proceedings of Government of India, Home Department (Public), November 1868, Nos 174-76.

16. "The greatly extended cotton cultivation in the north-west provinces, Bombay and other parts during the year 1863-64 not only necessarily left a proportionately diminished area available for cereal produce, but also, by enriching the cultivators, tended to increase the

the Nepal tarai—had also suffered from a severe drought and because of the reduced production of rice the Nepalese government had strictly forbidden the export of foodgrains from its territory.[17]

The reduced supply of foodgrains led to a sharp increase in prices, which is evident from Table 6.8.

Table No 6.8

PRICES OF FOODGRAINS IN CHAMPARAN (1863-65)

(*in seers per rupee*)

Foodgrain	*December* 1863	*December* 1864	*December* 1865	*December* 1866
Rice				
Fine	25	19	9	19
middling	29	21	10	22
coarse	35	24	13	24
Paddy	55	35	17	39
Kodo	80	50	25	50
Maize	52	33	14	34
Oats	51	34	16	24
Wheat	23	20	8	14
Gram	28	25	11	18

Source: *Bengal Famine Report* 1865-66, pp 88-89.

The price-rise continued till August 1866 and the situation eased only in September when the autumn crops arrived in the market. This is clear from Table 6.9.

consumption of food throughout the cotton-growing country. This created a demand which could only be met by the Bengal province and more than 112 lakh maunds of grains was sent out of the province during 1864-65." *Bengal Famine Report*, 1865-66, pp 45-46; also see pp 82-83, 89.

17. "The famine was caused not so much by the poorness of the crops in this district /Champaran/ itself, as by the total failure of the food-producing crops (principally rice) of the surrounding districts"—Ibid, p 90.

Table No 6.9

AVERAGE MONTHLY PRICES OF FOODGRAINS IN CHAMPARAN (1866)

(seers per rupee)

Foodgrain	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
Rice:												
fine	10	10	9	8	6	6	6	6	7	7	7	19
middling	11	10	10	10	9	7	6	7	8	8	8	22
coarse	12	11	11	10	9	9	7	7	8	14	17	24
Paddy	18	17	17	16	14	13	11	10	12	11	16	39
Kodo	25	24	25	25	21	20	19	9	37	38	39	50
Maize	14	11	14	13	11	10	10	21	20	23	22	34
Wheat	10	10	14	10	10	10	8	8	10	10	11	14
Oats	16	14	17	23	20	20	20	18	18	18	19	24
Gram	10	10	14	12	11	11	8	8	12	13	15	18

Source : *Bengal Famine Report*, 1865-66. pp 82, 89.

During the famine the district became entirely dependent on external markets for foodgrains and the cost of carriage added to the high rates already prevailing there. In the absence of railways and other modern modes of transport, country-boats and bullock-carts were the only alternatives which were slow and expensive.

The worst hit were the poorer people in general and landless agricultural labourers in particular. They had no stocks of foodgrains to fall back upon and there was no demand for their labour because the famine had paralysed agricultural activities. Even as early as 1860 the labour-in population of Bihar was declared underfed by government medical officers. Even when the supply of foodgrains, at prices prevailing in the years before drought, was abundant the condition of the labouring population in the northern districts of Bihar, particularly in Champaran, was just above the starvation level.[18]

The richer sections of agricultural population did not suffer much privation. Among them the big zamindars did not sustain much material loss because they did not remit any rent nor were they legally required to do so. Raiyats had to pay the rent or lose their holdings. The attempt of the raiyats was to retain their holdings by all possible means. They sold their movables or mortgaged a part of their holdings to borrow money to clear the rent dues. As the collector reported: "the general thinking of the raiyats was to save their holdings by all possible means because only when they had the lands they could survive and get back their belongings pawned to the moneylenders."[19]

As has already been discussed, the three big zamindars of the district farmed out their zamindaris to thikadars who included both European planters and the rich Indian peasants-cum-moneylenders. It was the headache of thikadars to collect rents and pay them to zamindars. Any default

18. Ibid, pp 47-48.

19. Letter from the collector of Saran to the commissioner, Patna division in June 1865 in the Motihari Collectorate Papers.

on the part of thikadars would lead to the cancellation of their lease which would result in the dislocation of indigo plantation where planters were thikadars. Indian thikadars, most of whom were moneylenders, advanced loans to their raiyats for the payment of rents. Wherever possible they could take over the holdings of such raiyats who failed to pay up the debts and convert them into their zirat or settle them benami with their relations.[20]

Small zamindars who were also cultivators did suffer from the famine. Their output was less than normal and wherever they realised rent in kind from their share-croppers they suffered losses because the yield was low. Usually they took 50 per cent of the gross produce. Their marketable surplus was reduced though in monetary terms the sale proceeds of their marketed surplus did not decline because of the increase in price. They divided their produce into two parts, one part for themselves, their families, their servants, labourers and other dependants till the next harvest, and the other part to be marketed for the payment of rent, purchase of implements, bullocks, clothing, medicines, etc. and for utilisation as seeds. The reduction in total agricultural produce at their disposal as a result of drought necessitated a modification in the usual arrangement so that they could increase the amount of the marketable surplus to profit by the higher prices. The entire surplus was not sold for cash, a part was sold on deferred payment. The latter was in fact loan in kind. These people generally tried to reduce the part of the produce consumed by themselves, their families, servants, labourers and other dependants in order to increase the marketable surplus. They dispensed with the services of village artisans, wherever possible, and casual labourers, most of whom belonged to dusadh, chamar, musahar, dom and other low castes.[21]

The beggars, the crippled and the infirm—the mass of paupers—who subsisted on charities and alms starved be-

20. Ibid.

21. *Bengal Famine Report*, 1865-66, p 48.

cause a large segment of the rural population was not in a position to spare anything for them.

The famine was most severely felt in the north and northeastern parts of the district bordering on Nepal because rice was a much more important crop there and it had failed entirely in 1865. In the Adapur and Shikarpur revenue thanas the rice crop accounted for 85 and 80 per cent respectively of the area under cultivation.[22] This stressed the dangerous consequences of the lack of diversification in the crop pattern.

The famine caused desperation which led to increased incidence of grain robberies and incendiarism. According to an official estimate about 90 per cent villages were involved in such incidents.[23]

So far as famine relief was concerned nothing was done until June 1866. The collector reported in January 1866 that prospects of the rabi crop were good and there was no need of undertaking public works as a relief measure. Subsequently in February and March, in spite of the fact that he did not report that the crop was good, he did not recommend any special action for relief work. But as early as November 1865 he had warned: "it is apparent that there will be a serious scarcity of food in my district."[24] At that time he had also talked of the failure of rice crop, of not-too-promising rabi crop, of excessive export of foodgrains from the district, of supply not coming from Nepal and of rapidly rising prices.[25] He had stated: "With regard to any public measures for alleviating the probable general suffering, it would be advisable to apply for funds to carry on public works, by which some relief might be afforded to the labouring classes. The general complaint however is that the district is 'empty' of grain."[26]

22. Hunter, *A Statistical Account of Bengal,* Volume XIII, p 285.
23. *Bengal Famine Report,* 1865-66, p 83.
24. Ibid.
25. Ibid.
26. Ibid, p 84.

It is not clear why the collector changed his stand on the relief work. It should be remembered that the manager of the Bettiah raj had also cautioned the government of the impending famines. He had written: "Although at present the condition of the poorer classes does not appear to call for aid, the interval between the gathering of the next rabi crop will be one of the greatest privations to them and employment will have to be found to enable them to provide for still further high prices of food."[27] But the authorities remained indifferent till June 1866.

Consequently there was great suffering for the people till relief work was launched. In Champaran 56,000 people died, out of whom 37,334 died of starvation and the rest of diseases.[28]

The relief works which started in June 1866 could not be continued beyond July because rains had started and no earth work was possible. The relief works consisted mainly of road-building and repairs. They could give employment to only 12,000 persons and that too for just two months.[29]

The role of zamindars in providing relief to the famine-affected people was deplorable. The three big ones; having leased major portions of their zamindaris to thikadars, remained unconcerned about the fate of their famine-affected raiyats. Towards the middle of November 1865 T. M. Gibbon, an influential planter, had requested the government to put pressure on zamindars so that they could come forward to assist their raiyats with seed to enable them to sow rabi crops. However the government did not pay any heed. Had the government done something to induce the zamindars to help the raiyats distress could have been alleviated to an extent. Zamindars could have remitted at least a

27. Ibid.

28. Proceedings of Government of India, Home Department (Public), August 1866, Nos 84-85 A.

29. Buckland, *Bengal Under the Lieutenant-Governors*, Vol I, p 393.

portion of the rent or deferred rent collection till there was a good harvest. If they had assisted the raiyats with cash wherever necessary to buy fodder, bullocks and seed, rabi crops could have been better and scarcity of foodgrains could have been prevented from developing into famine. Rabi crops yielded less than normal output because of the inferior quality of seed sown and because of the difficulty encountered by raiyats in procuring seed of any kind till late in the season.

The government appealed to zamindars to create a relief fund but the response was nil, with the exception of the Bettiah raj which contributed a small sum of Rs 5000 towards it.

In 1873-74 there arose a situation of scarcity in Champaran. In 1873 rains which were late in coming were so heavy as to do great damage to bhadai crops and they stopped so prematurely that winter rice was almost entirely lost. There was great fear that the ground would be too dry to permit sowing of rabi crops.[30]

Prices rose sharply. The Bihar and Orissa index number of prices of foodgrains jumped up from 79 in 1872 to 100 in 1873 and 113 in 1874.[31] In spite of this sharp increase in prices, the export of foodgrains was not banned. There was a strong public demand to stop this export, but the government did not accept it.

In November 1873 a number of relief works were started to create employment opportunities. Among them the most important were the Gandak embankment and the construction of the Northern Bengal Railway. No data are available as regards the number of people benefiting from them. Only this much is known that the government purchased foodgrains for paying as wages. The government had realised that the payment in cash did not solve

30. *Collection of Papers Relating to Scarcity in Bengal for December* 1873, p 7.

31.Bose, *A Statistical Survey of Foodgrain Prices in Bihar and Orissa*: 1861-1934, p 20.

the problem of labourers because they could not find food-grains in local markets. However the government did not "undertake the general purchase and distribution of grain throughout large tracts of country or to regulate in any manner the prices of it in the market".[32]

Another feature of the relief works was that for the first time advances were made to the landlords and tenants for the purchase of seed and for digging wells. But again, no quantitative information is available about the number of wells dug and of irrigation potential created.

In spite of the relief works a large number of raiyats were insufficiently fed and the labouring people were impoverished, having no means of maintaining their families. The average landholding per raiyat household was 5 acres dependent solely on rains. The average yield of paddy in a normal year when rains came in time and in adequate amount would be 10 to 12 maunds per acre. This would give the total output of paddy for 5 acres around 60 maunds. Sixty maunds of paddy could give maximum 40 maunds of rice after husking and cleaning. Assuming that there was no double-cropping 40 maunds of rice was insufficient to maintain an average family of five persons throughout the year, besides providing for seed and the payment of rent. It was thus difficult for an average raiyat to repay to the mahajan the grain advances at an annual interest rate ranging between 25 and 50 per cent. The indebted raiyat family lived on the verge of starvation wholly dependent on the mahajan for survival.

The commissioner reported: "The people (of Champaran) are generally in so low a state of health as to leave them without hope or energy and to render it impossible for them to better their condition or to struggle with any unforeseen troubles or distress."[33] The commissioner further reported that while prices rose the total earnings

32. Buckland, op cit, Vol II, pp 577-79.

33. Annual General Administration Report of the Patna Division, 1873-74.

of agricultural labourers declined because of slackness in agricultural activities leading to a sharp fall in the demand for labour. Besides village artisans like weavers and carpenters were also out of work because of the decline in purchasing capacity of the rural people. Carpenters and professionals like barbers, washermen, etc., found their earnings going down because they shared in the harvest.

During 1874 the government of Bengal offered to suspend revenue collection from such landlords as would remit the rent of their raiyats but no favourable response came from the landlords because the land revenue was a very small portion of the total rental and the remission of rent would have meant a loss to them.[34]

Again there was a situation of scarcity in 1889. It was caused by insufficient rainfall during September-October 1888 which resulted in the failure of the paddy crop. The sowing of the rabi crops also could not be done on the normal scale for lack of moisture in the soil. The area under rabi crops, according to the collector could not have been more than 60 per cent of the previous year which was a normal one.[35] The yield of mango crop was estimated to be around 40 per cent of the normal one. Poppy, an important cash crop for the district, was also poor. On top of all this abundant rainfall in June-July 1889 caused heavy flood destroying crops over an area of 117 square miles of the district bordering Nepal.[36]

There was great suffering throughout the district. People starved but no deaths were officially reported. Nothing was done to provide relief to the scarcity-affected people.

In the year 1896-97 occurred the worst famine of the century. The cause of the famine in the words of D. J. Macpherson, the collector of the district, was "deficient and unfavourable distributed rainfall in 1895 and 1896,

34. Proceedings of Government of India, Revenue and Agriculture Department (Land Revenue), January 1899, Nos 15-20 A.

35. Motihari Collectorate Papers.

36. Ibid.

intensified by extraordinary high prices, consequent on similar causes operating over a great part of India".[37] He continued: 'In May 1896, the showers which facilitate the early sowing of the bhadai crops were much scantier than usual and the monsoon rains began late, not until the 25th of June, and then only feebly, the fall for June being actually less than half the average. The rainfall was capriciously distributed in different localities, and remained in persistent deficit throughout the rainy season, being 8.8 per cent below the normal in July, 20.9 per cent below it in August, and 74.7 per cent in September, while not a drop fell after the 18th of that month until the Christmas with the exception of a sprinkling...on 23rd November. There was a prolonged break in the rains of four weeks' duration from the 21st of July to the 17th of August, which did the greatest possible damage to the autumn rice and the bhadai crops and after the first of September there was practically no rain at all that could be of any material benefit to the autumn rice crop. The total deficit from May to October...was 19.19 inches or 40.7 per cent."[38]

Thus this time also the main cause of the famine was the failure of the rice crop which resulted from the complete failure of the monsoon and the absence of protective irrigation works.

It is interesting to note that the areas which depended heavily on the rice crop were the first to fall prey to the famine. Adapur, Shikarpur, Bagaha and Dhaka were severely affected. Gobindganj, Motihari, Kesaria and Madhuban, with a predominance of upland which grew indigo, maize and rabi crops were the last to succumb.

Prices rose and the Bihar and Orissa index number of retail prices of foodgrains went up from 131 in 1896 to 189 in 1897.[39]

37. Stevenson-Moore, *Final Report on Champaran*, p 157.

38. Ibid.

39. Bose, *A Statistical Survey of Foodgrains Prices in Bihar and Orissa*, 1861-1934 p 20.

The government started relief works and a sum of Rs 6,23,200 was spent. An important aspect of the relief works was the digging of the Tribeni canal. For the first time the government directed its attention to not only putting purchasing power in the hands of the rural population by providing employment opportunities but also constructing an important protective irrigation project.

The population of the district declined by 3.7 per cent between 1891 and 1901.

After 1900 there was no famine though there were floods, epidemics and periods of scarcity, which could be tackled by importing foodgrains from outside the district and adopting a system of controlled distribution, particularly during and after the second world war. The completion of irrigation projects like Tribeni and Dhaka canals and the construction of railway lines were important factors in protecting the district from famines. The first mitigated the effects of the failure of the monsoon while the second helped import of foodgrains quickly.

A few conclusions emerge from the brief account of the famines and scarcities in the district.

First, the almost total dependence on the monsoon made the fate of agriculture uncertain. Either the monsoon did not come in time or the rainfall was either less than adequate or it was so excessive that it caused floods. In both cases crops were damaged. Irrigation facilities which could be depended upon in the case of failure of the monsoon were almost nonexistent. Neither the zamindars nor the government took any steps to provide protective irrigation works in the district till 1896-97. The government was not only indifferent to the need of providing the irrigation facilities but it felt that it was none of its obligations to do so. "In 1876 the government of India refused to finance the irrigation schemes for north Bihar—Bagmati and Kamla projects—despite the widespread crop-failure caused by drought in 1875, and denied the obligation in fighting such droughts." It held that though "irrigation works in Bihar will be in the nature of an insurance upon

the rice crop of the province, which insurance ought to be defrayed by those who obtain a profit from the crop, mainly by the landed proprietors."[40]

As has already been mentioned, most of the raiyats did not have occupancy rights over their holdings. That is why they were not certain of the future possession over their holdings. This was one of the reasons which led Hem Chander Chatterjee who was assistant settlement officer in the district during 1892-99 to observe: "With numerous rivers in the tract, the fields could have been with little expense irrigated, but the people are very apathetic towards irrigation. They do not take the least care in irrigating fields..."[41]. Even if the raiyats had the necessary financial resources to provide for irrigation facilities by digging wells and local pains (channels for bringing water from rivers), the lack of occupancy rights proved to be a great obstacle.

Thikadars and mukarraridars did not have any permanent interest in their tenures. Thus they had hardly any incentive to invest money in irrigation works.

Second, because of the lack of irrigation facilities there was very little diversification in the crop pattern. As has already been pointed out rice accounted for more than half of the net cropped area, which did not have any protective irrigation to depend on in the event of failure of the monsoon. It was the complete or partial failure of the rice crop which led to the famine or scarcity conditions in the district.

Third, zamindars did not provide any relief to the raiyats and the rural population was so poor that it could not defend itself during the time of famine or scarcity. Also the response of the zamindars to the government appeal for

40. Extracts from the Bengal Irrigation Proceedings, July 1876, No 14 quoted by Benoy Chowdhury in his paper "Agrarian Economy and Agrarian Reations in Bengal (1859-1885)" in Sinha (ed), *The History of Bengal* (1757-1905), p 239.

41. Stevenson-Moore, *Final Report on Champaran*, p 112.

remitting rent was never encouraging. Nor was there even a token gesture by suspending the rent collection. The attitude of zamindars led the famine commission to write in 1881: "One had... a class of landlords who swept off the entire margin of the profits of the soil, paying the government a mere fraction by way of revenue and trampling down the law in every direction where it would intervene for the protection of the tenantry."[42]

Fourth, all the sections of rural society did not suffer in the same proportion. Agricultural labourers, artisans and small cultivators suffered most. While rich cultivators and moneylenders suffered a loss because of the reduction in their output, they gained because of higher prices of their marketed surplus. Their economic hold over the village increased because they could appropriate the holdings of other raiyats by way of mortgage—oral or written.

Fifth, even after the famine was over, its adverse effects were experienced for a long time. During the famine peasants generally had shortage of fodder and seed. Since the crop failure almost always resulted in a dearth of fodder, the cattle starved and died in large numbers. Whatever cattle were left were too weak to be used for ploughing and other agricultural operations. Peasants had either to leave part of their holdings untilled or to borrow money to buy cattle. The same was the case with seed. Besides the cattle and seed,the weak health of the labourers also posed a problem.

Last, during a famine or scarcity in Champaran before 1896-97 there was not only the shortage of purchasing power at the disposal of the agricultural labourers, artisans, professionals like barbers, etc. and small farmers to buy foodgrains at the ruling price but also a lack of foodgrains in the district. So far as the neighbouring districts were concerned, they were not in a position to spare foodgrains because of two reasons. First, even in normal years

42. *East India (Report of Famine Commission)*, Appendix I, Miscellaneous Papers, p 190.

neighbouring districts of Saran, Muzaffarpur and Gorakhpur imported foodgrains from Champaran and did not have any surplus to spare. Second, whenever Champaran was a prey to the failure of the monsoon, their fate was not different. The result was that these districts suffered from more acute shortages.

Whenever there was a famine or scarcity situation in Champaran, price of foodgrains rose but they rose to higher levels in the neighbouring districts. Consequently whosoever had surplus foodgrains with him in Champaran tried to export outside to earn money.[43] That is why demands were made for the government action to stop export.

Till the 1896-97 famine it was very difficult to import foodgrains from other provinces and parts of the country to Champaran because of the transport difficulties. In the absence of railways there was no quick mode of transporting foodgrains.

Thus there were two aspects of relief measures. First was stopping the export of foodgrains, importing foodgrains from outside and taking over the surplus foodgrains from the peasants who had them for distribution in the district at fixed prices and in fixed quantities so that nobody would go without food. This could have lessened the miseries of the people but it would have involved some expenditure on the part of the government in case subsidy was needed to keep the selling price down. During the nineteenth century this aspect of relief was never given any attention by the government.

The second aspect related to putting purchasing power in the hands of the lower strata of rural society by providing manual work. This was done by starting some public works. Though the government realised that merely putting money in the hands of the people was not enough, they had to be provided with foodgrains but except for 1873 one does not find any other occasion when the

43. Motihari Collectorate Papers.

government brought foodgrains to be paid as wages. Only once during the nineteenth century the government made advances for the payment of seed.

During the first decade of the twentieth century three major canals were constructed in Champaran. These canals were: (a) the Tribeni canal which traversed the northern part of the district from the Tribeni ghat to Mainatand, (b) the Tiur canal which ran from Lakhaura to Chhauradano, and (c) the Dhaka canal which covered the area lying southwest of the Bairgania railway station. All the three canals were constructed in order to provide protective irrigation to the district so that in the event of the failure of the monsoon the district did not have scarcity or famine situation.[44]

The work on the Tribeni canal began in 1897 as a famine-relief measure, but as soon as the famine was over the work was stopped. The construction of the canal was again taken up in 1901. The first portion of the canal was opened on 7 June 1909 and later it was extended by about 62 miles to reach Mainatand.

The Tiur canal was in existence even during 1879 but had fallen in disuse because the Madhuban zamindar on whose shoulders lay the responsibility of repairing and maintaining it was not willing to do so. It was taken over by the government in 1886 to be maintained at the expense of the provincial exchequer. The construction of distributaries was taken up after the famine of 1897, and completed in 1905-6. Later during the early years of the 1920s it was extended up to Lakhaura.

The construction of the Dhaka canal began in 1896-97 as a famine-relief work. The government had seen that the Dhaka thana was one of the worst affected by the failure of monsoon in both 1873 and 1896. The crops had almost entirely failed for lack of any kind of irrigation

44. *Selections from the Records of the Government of Bengal and Bihar and Orissa, containing papers from October* 1904 *to September* 1915 *relating to the Tribeni canal project in Champaran District.*

facilities. The construction of the canal and its distributaries was completed in March 1908. It utilised the water of a small stream called Lal Bakeya. The government sanctioned Rs 2,93,145 for its construction and it was intended to have an irrigation potential of 13,500 acres but later it went up to 16,000 acres. The government was to get a net revenue of Rs 18,000 after meeting the maintenance expenditure of Rs 16,250.[45]

Before we go on to discuss the impact of these three canals, let us say a few words about another project which could not last long after its completion. In 1897-98 the Masan pain in the Ramnagar raj was constructed by the government at its own expense as a famine-relief work. The management of the pain was entrusted to the district engineer in 1899 and it was agreed that the expenditure on the maintenance of the pain would be paid by the raja of Ramnagar and indigo planters Messrs Bion, Marsham and Coffin in proportion to the benefit derived from it by their respective villages. There were conflicts among the beneficiaries as regards the share in the maintenance expenditure which led to nonpayment of their contributions. The collector tried to help them arrive at some settlement but failed. That led to the closure of the pain by the government. The suggestion that the pain should be taken over by the public works department and the water charges should be levied on the basis of the area irrigated did not find favour with the government.[46]

By 1919 the areas commanded by the three working canals were as follows:

Tribeni canal	2,84,800	acres
Tiur canal	6,000	"
Dhaka canal	16,000	"
Total	3,06,800	"

45. Proceedings of Government of India, Revenue and Agriculture Department (Land Revenue), March 1901, No 14 B.

46. Motihari Collectorate Papers.

Assuming an average outturn of 15 maunds per acre, these works had the potentiality of giving 46,02,000 maunds of paddy per annum or roughly 2 maunds per head of the total population of the district in 1911.[47]

But there was always a gap between the potential and the actual area irrigated. This was due to two reasons. First, the Bagaha and Shikarpur thanas in which most of the potentialities of irrigation from the Tribeni canal were created were less populated, and most of the land there was virgin. Till the population in those areas increased there was no scope for full utilisation of the irrigation facilities created. Second, the lack of firm occupancy rights also acted as a discouraging factor in the utilisation of irrigation facilities. In a number of cases of sharecropping it was found that the landlords did not pay their share of the water-rates and the sharecroppers were not prepared to incur the full expenditure on account of water charges and the cost of making channels to reach water to the fields.[48]

The average net irrigated area in the district increased from 95,758 acres in 1921 to 1,67,781 acres in 1951.[49] This was because of the weakening influence of the adovementioned factors.

To know the impact of the irrigation facilities on the croppattern, let us have a look at Table 6.10.

It is clear from the table that irrigated area as percentage of the net cropped area increased fourfold by the time of the revisional settlement operations. The increased irrigation facilities had an impact on the croppattern. The increased area under aghani crops and twice-cropped was due largely to the availability of more irrigation facilities. Rabi crops were generally grown in the areas where there was no increase in the irrigation facilities. These areas came under the Gobindganj,

47. Sweeney, op cit, p 6.
48. Motihari Collectorate Papers.
49. Prasad, Ranchor, op cit, p 164.

Table No 6.10

CHANGES IN THE CROPPATTERN AND THE PERCENTAGE OF NET CROPPED AREA IRRIGATED IN CHAMPARAN BETWEEN THE TWO SETTLEMENT OPERATIONS (1892-99 AND 1913-19)

Period	*Bhadai*		*Aghani*		*Rabi*		*Twice-cropped*		*Net cropped area in acres*	*Irrigated area as percentage of net cropped area*
	Area in acres	*Percentage of net cropped area*	*Area in acres*	*Percentage of net cropped area*	*Area in acres*	*Percentage of net cropped area*	*Area in acres*	*Percentage of net cropped area*		
Settlement operations of 1892-99	6,64,437	46	5,56,279	38	7,99,622	55	5,72,670	39	14,47,668	2
Revisional settlement operations of 1913-19	6,62,727	40	5,80,088	41	7,96,622,	55	6,61,887	47	14,29,859	8

Source : Sweeney, op cit, p 105.

Kesaria and Motihari thanas. Hence there was no change in the percentage of the net cropped area under rabi crops.

So far as the individual crops were concerned there was a tendency to grow aghani rice in place of inferior bhadai crops which fetched lower prices. The prospects of Aghani rice was no longer uncertain because of the assured irrigation. In all rice accounted for 54 per cent of the net cropped area during 1892-99 and 60 per cent during 1913-19.[50] In 1951 rice was grown on 62.3 per cent of the net cropped area.[51]

The construction of railway lines and a railway bridge near Bagaha linking Champaran with Gorakhpur opened up possibilities for the export of rice. It accounted for 37 per cent of the exports of the district at the time of the revisional settlement operations. Another crop which was favourably affected by both extension of irrigation facilities and railways was oilseeds, particularly linseed. Oilseeds in 1898 occupied 6.5 per cent of the net cropped area and in 1918 it claimed 14 per cent of the net cropped area and accounted for 34 per cent of the exports.[52]

There were other significant effects of the extension of irrigation facilities, such as increased number of cattle and ploughs. Since there was no famine after the turn of the twentieth century, there was no danger to the life of cattle. Besides there was an extension of the area under rice and double-cropping, more cattle were required and the increased cattle population could be supported because of the better fodder situation. More straw was available because of increased production of aghani rice since aghani paddy gives more straw. The cattle population increased by 18 per cent between the two settlement operations. It increased from 91 to 133 per square mile of cultivated area. The number of ploughs increased from 46 to 52 per square mile of cultivated area.[53]

50. Sweeney, op cit, 106.
51. Prasad, Ranchor, op cit, p 165.
52. Sweeney, op cit, p 107.
53. Ibid, p 109.

The importance of irrigation facilities was underlined by the increase in agricultural productivity registered in the areas which were beneficiaries of these facilities. The data gathered by the two settlement operations indicate that the Gobindganj thana which did not have any increase in irrigation facilities failed to show any significant change in its agricultural productivity, while other thanas showed remarkable increase. Table 6.11 gives the data for aghani paddy which was the main beneficiary of irrigation for all the thanas of the district at the time of the original and the revisional settlement operations.

Table No. 6.11

AVERAGE YIELD OF AGHANI PADDY IN DIFFERENT THANAS OF CHAMPARAN AT THE TIME OF THE FIRST AND THE REVISIONAL SURVEY-SETTLEMENT OPERATIONS

Thana	*Average yield of aghani paddy in maunds per acre*	
	at the time of the first survey-settlement operations (1892-99)	*at the time of the revisional survey-settlement operations* (1913-19)
Bagaha	11	25
Shikarpur	14	24
Bettiah	12	18
Adapur	14	14¾
Dhaka	12	14½
Motihari	11	16¼
Gobindganj	10	9½
Kesaria	10	17¼
Madhuban	10	16

Source: Stevenson-Moore, *Final Report on Champaran*, p. 160; and Sweeney, op cit. p. 107.

Table 6.11 clearly shows that the average yield of aghani paddy registered an increase in the revenue thanas such as Begaha, Shikarpur, Bettiah, Dhaka, Motihari, Madhuban and Kesaria, which were beneficiaries of the irrigation projects. However it needs to be clarified that

while calculating the average yield at the time of the revisional survey-settlement operations in every thana which benefited from newly-provided irrigation facilities, both irrigated and nonirrigated plots were included in the sample so that the average yield was not an overestimation. To illustrate this point, the Motihari thana received irrigation facilities from the Tiur canal but they were confined only to its northeastern villages. To calculate the average yield of paddy, crop-cutting experiments were carried out in 27 villages which were selected in such a manner that they fairly represented the thana.

So far only the aghani paddy was taken with a view to study the impact of irrigation as this was the most important crop in the district. Both its transplantation and ripening depended on availability of water in adequate quantity. This was not so much the case with the bhadai paddy.

There was another impact of the availability of irrigation facilities. There was a tendency on the part of peasants to give up cultivation of inferior crops like kodo, sawan, cheena, marua, etc., mainly because the danger of the failure of aghani paddy was no longer there. Earlier these inferior crops were cultivated by peasants to support them in the event of the failure of the aghani paddy crop. Since aghani paddy fetched more price and its average yield had also gone up, peasants were better off. This acted as a discouraging factor to the cultivation of inferior crops.[54] This phenomenon has been observed much more clearly after the late 1960s when the opening of the Gandak canal has led to the virtual disappearance of the abovementioned crops from Gobindganj thana.

The area under rabi crops declined from 7,99,622 acres at the time of the first survey-settlement operations to 5,95,000 acres at the time of zamindari abolition mainly because of the diversion of land under the inferior crops to aghani crops, mainly paddy. Thus the share of the rabi crops in the net cropped area declined from 55 per cent

54. Motihari Collectorate Papers.

to 38 per cent. At the same time the share of wheat, the superior rabi crop, increased from 7.27 per cent to 8 per cent.

Between the two settlement-operations, the share of wheat crop in the net cropped area increased from 7.27 per cent to 7.40 per cent while the share of the rabi crops as a whole remained unchanged at 55 per cent.

After a discussion of the crop pattern and the changes therein, it will be now worth while to go over to the pattern of distribution of the occupied area in the district. If the lands held by public bodies, such as the district board, public works department, railways, etc., and the gairmazrua, whether public or malik, lands were excluded from the total area of the district, one could get the occupied area. Thus the occupied area was 15,78,235 acres during the first survey-settlement operations and 15,78,235 acres during the revisional survey-settlement operations. The dimunition was due to the acquisition of land for railways and canals.

The distribution of occupied area in the district among different types of tenancies on the conclusion of the first and the revisional settlements reveal that the occupancy raiyats claimed the largest share—83 per cent and 86.90 per cent respectively of the occupied area. Between the two settlements there was a decline in the area under bakasht malik, under zirat of tenureholders, under the raiyats at fixed rents and under rent-freeholders. It showed that there was no inclination on the part of zamindars, mainly the three big ones, to keep land under their possession for the extension of their zirats. With the increasing rental incomes the zamindars' leisure-preference was stronger.

The decline of indigo led to a tendency on the part of planters who were the most dominant tenureholders to reduce the area under their zirats.

Thus, there was witnessed "a tendency for land to pass from the possessions of landlords into the holdings of raiyats, the process being helped by the decline of indigo

Table No 6.12

DISTRIBUTION OF OCCUPIED AREA AMONG VARIOUS TYPES OF TENANCIES IN CHAMPARAN ACCORDING TO THE REPORT OF THE FIRST AND THE REVISIONAL SETTLEMENT OPERATIONS

Type of tenancies	*First Settlement*				*Revisional Settlement*			
	No of tenancies	*Area in acres*	*Average size of holding in acres*	*Percentage to total occupied area*	*No of tenancies*	*Area in acres*	*Average size of holding in area*	*Percentage to total occupied area*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Zirat malik	409	4,881	12	0.30	322	4,692	14.57	0.30
Bakasht malik	1,952	31,331	16	2.00	2,605	24,361	9.35	1.55
Zirat of tenureholders	9,899	1,17,066	12	7.50	12,819	84,092	6.56	5.35
Raiyats at fixed rents or rates	3,214	26,803	8	2.00	2,993	18,876	6.31	1.25
Settled or occupancy raiyats	3,36,144	13,14,465	4	83.00	4,66,029	13,58,382	2.91	86.90
Nonoccupancy raiyats	25,296			3.10	25,370	52,054	2.05	3.35
Rent-freeholders	14,140	34,227	2	2.10	19,878	20,589	1.03	1.30
Total	3,91,059	15,78,235	4	100.00	5,30,016	15,62,046	2.95	100.00

Source : Compiled from Stevenson-Moore, op cit, p 123; and Sweeney, op cit, p 109.

which was formerly the chief crop cultivated by the landlords".[55]

So far as the decline in the area held by the sharahmoyain or raiyats at fixed rents was concerned, it was partly due to corrections of the wrong entries made during the earlier settlement. The report of the revisional settlement put it like this : "In a small number of cases the sharahmoyain or fixed rate status recorded at the last settlement was proved to be wrong and in these cases the status of "settled raiyat" was substituted. In other cases the status had been lost by transfer, subdivision or amalgamation and consequent reassessment."[56]

As regards the rent-freeholders, two changes were witnessed. First, their share in the total occupied area of the district went down from 2.10 per cent to 1.30 per cent. The very considerable reduction in the rent-free area was due partly to the decline of temporary maintenance grants of land, partly to the reversion to the landlord of numerous birts or grants and in a very few cases to rent-free entries of the earlier settlement being successfully contested.

Second. the rent-free tenures increased from 14,140 to 19.878 leading to a decline in the average size of the rent-free holding from 2 acres to 1.03 acres.

The average area of landholding declined in the district between the two settlements from 4 acres to 2.95 acres. In the case of nonoccupancy holdings there was a marginal increase but in the case of the occupancy holdings there was a decline of more than 25 per cent. The decline in the average size of holding was also noticed in the case of Bakasht malik and zirat of tenureholders. The decline was mainly due to the subdivision of holdings. In the case of zirat of tenureholders, the decline of the prospects of indigo leading to the beginning of the abandonment of

55. Sweeney, op cit, p 110.
56. Ibid.

their zirats which were generally of large size was also a contributory factor.

Between the two settlements there was an increase in the area in the possession of under-raiyats though they did not constitute an important category of tenants because their share in the total occupied area of the district never exceeded 2.8 per cent. This was because of the field-to-field survey and settlement operations during 1892-99 and 1913-19. Under-raiyats generally cultivated bakasht malik land and the lands leased out by the tenure-holders (which earlier formed part of their zirat) and by occupancy raiyats with large holdings. The tenancies of under-raiyats were known as shikmi.

There was another interesting feature about the under-raiyats. They generally belonged to lower castes and their Indian landlords came mostly from upper castes. Since the upper-caste hindus did not physically participate in the actual operations of agriculture, they had to depend on hired labour. They leased out portions of their holdings for they were not able to cultivate their entire holdings and/or to induce their labourers to remain attached to them. Thus it can be said that socially the landlords and the under-raiyats belonged to two different groups.

Between the two settlements the average size of the shikmi holdings did not change. It remained a little over one acre. If we look at the last table it becomes apparent that among the holdings of all varieties in the district the average shikmi holding was the smallest. Even if it produced 25 maunds of paddy (the average per-acre yield in Bagaha which was the highest in the district during 1913-19), the holder could not support himself and his family of 5 without taking employment as wage-labour. Thus it can be safely concluded that almost all the under-raiyats were working as agricultural labourers.

Between the two settlements the cash-rented area in the possession of the under-raiyats declined from 35 to 29

Table No 6.13

SHIKMI TENANCIES IN CHAMPARAN AT THE END OF THE FIRST AND THE REVISIONAL SETTLEMENTS

		Area in acres		
	No of shikmi Tenancies	*Cash rented*	*Produce rented*	*Total*
First settlement	29,003	11,450	21,577	33,027
Revisional settlement	36,571	12,905	31,908	44,813

Source : Compiled from Stevenson-Moore, op cit, p 123; and Sweeney op cit, p 110.

per cent of the total area held by them while the cash-rented area as percentage of the total area held by the occupancy raiyats remained unchanged and in the case of nonoccupancy raiyats it registered an increase from 78 per cent to 88 per cent. Since the under-raiyats were not entitled under the law to commutation of their produce-rent into cash-rent and the landlords had no reason to be interested in this, there was no commutation.

The landlords of the under-raiyats did not like their rents to be fixed in cash because they could be loosers if the prices rose. Between the two settlement operations, the prices showed an upward trend. The index number of the wholesale prices of foodgrains went up from 106 in 1899 to 318 in 1919.[57] In Champaran the price of rice, the most popular crop, rose continuously during the second decade of the twentieth century and this acted as a discouraging factor for a landlord to get the rent of his under-raiyat fixed in cash and recorded in the khatian. Table 6.14 shows the trend in the price of rice.

57. Bose, *A Statistical Survey of Foodgrain Prices in Bihar and Orissa.*

Table No 6.14

PRICE OF RICE IN CHAMPARAN (1910-11 to 1918-19)

Year	*Price for maund Rs-As*
1910-11	2-14
1911-12	2-10
1912-13	3-10
1913-14	4-12
1914-15	4-14
1915-16	NA
1916-17	5-2
1917-18	NA
1918-19	6-2

Source : Compiled from *Season and Crop Reports of Bihar and Orissa* from 1911-12 to 1918-19.

Cash-rented undertenancies were mainly under the three big zamindars. A system of produce rent required not only constant supervision when the proportion in which the crop was to be divided between the landlord and the tenant was fixed but also the facilities to store various kinds of crops and market. In extensive zamindaris, as they had, this system was expensive mainly because of the need to maintain an elaborate establishment and to check the leakages of the produce collected from the tenants.

The indigo planters who held intermediary tenures perferred cash-rent to produce-rent because the former was easier to handle and the cost of collection was less.

In the case of produce-rent in general, it can be said there was a tendency for it to be more prevalent where landlords were petty and they did not have to depend mainly on employees for collection of rent. They were in a position to exercise personal supervision. They could supervise the harvesting of crops and see that there was no pilferage by the raiyat concerned. That is why the percentage of area under produce-rent was higher in Muzaffarpur (in 1899 it was 7 per cent in the case of occu-

pancy raiyats and 81 per cent in the case of under-raiyats). Muzaffarpur was a district dominated by petty landlords.[58]

In Champaran another interesting feature was the preference of produce-rent by traders and moneylenders. In Adapur thana, for example, the mahajans and traders of Motihari generally went in for produce-rent when they leased out their holdings. Since they traded in grains, they could gather grains by this method.

Table No 6.15

PROPORTION OF CASH AND PRODUCE-RENTS IN CHAMPARAN (1899 & 1919)

		Cash-paying		*Produce-paying area*	
Year	*Total area in acres*	*Area in acres*	*% of total area*	*Area in acres*	*% of total area*
(*a*) *Settled or occupancy raiyats*					
1899	13,14,465	12,55,967	96	58,498	4
1919	13,58,382	12,98,424	96	59,958	4
(*b*) *Nonoccupancy raiyats*					
1899	49,462	38,624	78	10,838	22
1919	52,044	45,699	88	6,345	12
(*c*) *Under-raiyats*					
1899	33,027	11,450	35	21,577	65
1919	44,813	12,905	29	31,908	71

Note: The entire area of 26,803 acres in 1899 and 18,876 acres in 1919 under the fixed rate-raiyats paid cash rents. It is not included in the above table.

Source : Compiled from Stevenson-Moore, *The Final Report on Champaran,* p 139. Sweeney, op cit, appendix III.

58. Stevenson-Moore, *Final Report on the Survey and Settlement Operations in the Muzaffarpur District* (1892-99), p 313. (Now onwards referred to as *Final Report on Muzaffarpur*).

In the diara areas tenants were mostly nonoccupancy and they preferred producerent on the basis of division of crops because this was beneficial for them. Since their holdings always faced the danger of being submerged by the river, they did not want to commit to the payment of cash-rent whether they cultivated them or not. Though they could legally get their rent reduced on account of diluvion, it involved botheration and expenses.

Originally under the bhowlee (produce-rent) system the crop was divided equally between the landlord and the tenant. This arrangement was called batai nisf. If the crop was divided before threshing, it was called bojh batai because the crop was put in bundles or bojha and then divided. If the division was made after threshing it came to be known as aghor batai. Another form was that of batai tikuli in which the crop was shared by the raiyat and landlord in the proportion of 2 : 1. This was usually when some land was to be reclaimed or was less fertile and therefore did not have much demand. This was intended to provide some incentive to raiyats.

Another arrangement was manhunda or simply hunda. This was generally resorted to by those who did not have time and energy to keep watch on their raiyats and supervise harvesting and threshing of the crop. In the arrangements discussed in the previous para, the landlord had to share the risks arising from the failure of monsoon, flood, pilferage and neglect by the raiyat but he did not have such risks under the hunda arrangement. Hunda consisted of a rent fixed at so many maunds of grain on specified plots. The traders and moneylenders residing in towns generally resorted to this kind of arrangement. The hunda-rent had to be paid irrespective of the actual yield of the land. Throughout the period of permanent settlement the common rate in north Champaran was 15-20 maunds a bigha (1.5 to 2 acres=1 bigha) and in south Champaran it was 8-10 maunds a bigha because both the bigha was smaller (1.25 acres=1 bigha) and the yield was lower. Sometimes the raiyat was allowed to pay cash instead of grains. In this case the amount of cash-rent was fixed on the basis of the prevailing price of grain.

Hunda settlements were purely temporary and they did not carry any permanent rights, and were generally from Baisakh to Chait (i.e. roughly from April to March).

Under the hunda arrangements straw was not shared and it was appropriated by the raiyat but under other arrangements it was divided equally between the landlord and raiyat. Generally landlords were maintaining cattle for their own agricultural operations and they were in need of fodder.

While determining the hunda-rent there were two considerations kept in mind. First, the entire risk involved in cultivation was shared by the raiyat and landlord did not have to spend his time to supervise agricultural operations. Second, the straw belonged to the raiyat. While the former consideration emphasised the need to fix the hunda-rent somewhat lower than the average aghor batai rent for the same kind of land, the latter used to pull the rent upward. The actual hunda-rent was fixed as a result of the interaction of these two considerations.

Under batai nisf the raiyat had less incentive to put efforts to increase production because the landlord, without providing any inputs, took away half the produce while under the hunda system the raiyat knew that if the production increased as a result of his efforts he would appropriate the entire amount exceeding the hunda-rent. However in both the cases the temporary and wholly insecure nature of tenancy acted as a strong disincentive to investment in providing irrigation by digging well or improving the land.

The Bihar tenancy (amendment) act (1938) provided for acquisition of occupancy rights by under-raiyats provided they could prove their continuous possession on any piece of land for 12 years. In Champaran, since no landlord granted any receipt for rent and changed land or took it back if he found any ground for suspicion that the raiyat might claim occupancy rights, this legislation did not have any impact on the number of undertenancies.

Between the two settlements the cash-rental of the district increased by 20 per cent. It increased from Rs 24,63,426 in 1899 to Rs 29,28,428 in 1919. If one could

commute the produce-rents in cash-rents, as the settlement officers did, assuming a rate of Rs 6 per acre for the area under produce-rent, one could find the total district rentals in 1899 and 1919 Rs 28,79,442 and Rs 33,26,252 respectively. In this case the increase would be 15 per cent only.

Table No 6.16

INCIDENCE OF CASH RENT IN CHAMPARAN (1899 and 1919)

Tenancies	*Area in acres*		*Rent (Rs)*		*Rate Rs-A-P*	
	1899	1919	1899	1919	1899	1919
a) Fixed Rate	26,803	18,876	30,632	24,034	1- 2-3	1-4-4
b) Occupancy	12,55,967	12,98,424	23,63,356	28,05,495	1-14-1	2-2-6
s) Non-occupancy	38,624	45,699	69,538	98,900	1-12-0	2-2-7
d) *Total*	13,21,394	13,62,990	24,63,426	29,28,428	1-13-9	2-2-5

Source : Sweeney op cit, p 110.

The average incidence of cash-rent per acre increased from Rs 1-13-9 in 1899 to Rs 2-2-5 in 1919. This increase was due to the fact that fresh land brought under cash-rent bore an average rent of about Rs 11 per acre. The increasing incidence of rent per acre was the result of the combination of a number of factors such as increasing population, rising prices of agricultural products, very slow growth of employment opportunities outside agriculture, etc.

In 1919 for which the comparable data are available the average incidence of cash-rent was lowest in Champaran in the Tirhut division and it was one of the lowest in the entire province. This was mainly due to the fact that Champaran had a low density of population and the demand for land was not very pressing. In its northern thanas where the climate was malarious, this was apparent.

Table No 6.17

RENT-RATES OF THE NORTH BIHAR DISTRICTS (1919)

District	*Average incidence of cash-rent (per acre)* Rs-A-P	*Density (per square mile)*
Bhagalpur	2-10- 5	506
North Monghyr	2-15- 0	NA
Purnea	1-13-11	398
Muzaffarpur	3-13- 6	937
Saran ..	4- 5- 4	853
Darbhanga	3-12- 4	875
Champaran	2- 2- 5	540

Source : Compiled from the district gazetteers.

From Table 6.17 it emerges that the average rate of rent had varied directly with the density of population. In Champaran the Sadar subdivision with a higher density of population than the Bettiah subdivision had also a higher average rent-rate. For example, in 1899 the Sadar subdivision had a density of population of 724 per square mile and in the Bettiah subdivision it was 377 per square mile. The average rent-rate in the former was Rs 2-1-0 per acre while it was Rs 1-10-1 in the other subdivision.

As mentioned earlier, the peasants belonging to the upper-castes of hindu society did not generally participate physically in agricultural operations. They cultivated their lands with the help of agricultural labourers. Peasants of other castes physically participated in agricultural operations but engaged labourers if their holdings were of larger size or if there was an urgency to complete a particular operation within a very short time—for instance when there was insufficient rainfall and the transplantation of paddy was to be done quickly.

Earlier in Table 6.4 it was shown how larger holdings were concentrated in the hands of a few castes. Among them five castes did not work as agricultural labourers. Also as one moved down the social ladder one found the incidence of landlessness increasing, and consequently the

proportion of agricultural labourers growing. This is to emphasise that agricultural labourers were not only economically weak but also occupied a low position in the social hierarchy.

Agricultural labourers could be divided into two categories: (a) part-time agricultural labourers and (g) full-time agricultural labourers. In the former came artisans and professionals besides small peasants. They used to work as agricultural labourers to supplement their earnings. Whenever the artisans and professionals did not get sufficient work to keep themselves fully occupied in their own trades, they had to work as agricultural labourers. For example, take the case of carpenter. As his family grew bigger, the customers were distributed among the members of the family. A carpenter could not generally go to another village to get customers because every village had its own carpenters. He had no other option but to serve as an agricultural labourer at least part of the time.

The full-time agricultural labourers could be further subdivided into attached and casual. Attached labourers had some land from their employers and thus they were also under-raiyats. Whenever some work was available, their employers would hire them. They could go to work elsewhere only when their employers did not need them. So the first demand on their labour would be from their landlords.

Casual labourers were generally landless and were not tied up with any particular peasant or landlord. They could go wherever they liked to work. Peasants employed them only when their attached labourers did not prove sufficient to complete a particular operation.

Agricultural labourers were generally paid in kind but cash wages had come into existence with the entry of indigo planters and sugar manufacturers. Till now the dominant form of wages is the payment in kind. Hardly 5 per cent of labourers were ever paid in cash.

Rising prices of foodgrains did not adversely affect the real wages of the majority of the labourers because they were paid in kind. Their problem was different. Most of

them did not get employment for more than six months in a year and they had to borrow either cash or grains for survival.

Cash wage-earners suffered on both counts. Cash wages failed to keep pace with the rising prices. To quote the collector D. J. Macpherson: "The wages of labour have not risen in this district in unison with the rise in prices, either as a normal condition during the... year of famine... In the year 1874-75 the wages of unskilled labourer, that is, for a common cooly and agricultural labourer were... two annas for a man, one and a half for a woman and one anna for a boy. These rates have continued ever since, except that since the opening of the railway (in 1883) they are shown as ranging up to about half an anna more in each case, so that we may take the average rise as a quarter of an anna. In addition to the above, it has all along been customary to add a small quantity of parched barley or maize for a midday meal, which adds slightly more than a quarter of an anna to the wage. All things considered, the average wage of an adult male cooly now (1890s) may be taken as a little over two and a half annas, as against two and one-fourth annas twenty years ago, a rise of 11 or 12 per cent. The mean price of the foodgrains available for comparison (common rice, wheat, barely and gram) has risen from 23½ seers during the four years 1870-73 to 17 $^{2}/_{5}$ seers during the five years 1891-95, i.e. by 30.6 per cent. As compared with the five years 1875-79, however, the rise in prices during the six years 1891-96 has been only 16.9 per cent."[59]

Field labourers were mostly paid in kind. For a day's work an agricultural labourer received 2 seers of grain besides a quarter seer of refreshment. He had to work 6 hours in all—4 hours in the forenoon and 2 hours in the afternoon. Generally for transplantation of paddy he received paddy but for other types of work other grains were also given. However the quantity did not depend on the type of grain in which the wage was paid. If the

59. Motihari Collectorate Papers.

labourer was an attached one, he had certain privileges like some land at concessional rents, some clothes and invitations for free meals on occasions of festivals and ceremonies. He was fed on the day of gawa (the first day of paddy transplantation). Whenever he was in difficulties and distress, his landlord came to his help. His wife and children were employed as domestic servants by his landlord. Thus there was some kind of security.

There were one or two forms of labour that were always paid in kind or rather in the actual produce of the field itself. For reaping a crop the labourer got one bundle out of every 16 reaped and for threshing and husking one maund out of every 16 maunds threshed and husked. The implement repairers got a 40th part of the total produce. The barber and the washerman also came in for their share in the produce depending on the size of the peasant's family served by them.

These rates of kind-wages continue even now. With the decline of the cultivation of inferior grains like kodo, cheena, sawan, etc. the payment is made in paddy or barley.

Throughout 1857-1947 the cash-wages were found to be much more stable than prices. Year to year price fluctuations were hardly reflected in the wage-rate. It was only when there was a continuous upswing or downswing of the price-level that wages moved. There was generally a lag of 3 to 4 years between prices and wages. However the increase in wages could neutralise the effect of the price-rise only partially. The lack of sufficient data prevents us from testing this statement which is based on the reports of local officials.

During the last decade of the nineteenth century, data were gathered as regards consumption of peasant families and prices of the items of their consumption. On the basis of the data available in the government papers, the cost of living of an average peasant faimly could be worked out.

Assuming that an average family consisted of 6 members—2 males, 2 females and 2 children—it needed Rs 77 to live, as per the following details:

(a) Grains, cheaper kind, 6 persons at $\frac{3}{4}$ seers per head = $4\frac{1}{2}$ seers per day × 365 days = 41 maunds 2 seers 8 chhataks at Rs 1-6-0 per maund	Rs 56- 7-3
(b) vegetables at the rate of 2 chhataks per head = 12 chhataks × 365 = 6 maunds 33 seers 12 chhataks at Rs 0-4-0 per maund	Rs 1-11-3
(c) salt at $\frac{1}{8}$ chhatak per head = $\frac{3}{4}$ chhatak × 365 = 17 seers $1\frac{3}{4}$ chhatak at Rs 4-0-0 per maund	Rs 1-11-3
(d) edible oil at $\frac{1}{8}$ chhatak per head = $\frac{3}{4}$ chhatak × 365 = 17 seers $1\frac{3}{4}$ chhatak at Rs 9-0-0 per maund	Rs 3-13-6
(e) spices at $\frac{1}{8}$ chhatak per head = $\frac{3}{4}$ chhatak × 365 = 17 seers $1\frac{3}{4}$ chhatak at Rs 6-0-0 per maund	Rs 2- 7-6
(f) tobacco at the rate of 4 annas per month	Rs 3- 0-0
(g) 4 dhotis for 2 males at 10 annas each for one year	Rs 2- 8-0
(h) 4 saris for 2 females at 14 annas each for one year	Rs 3- 8-0
(i) 4 small dhotis for 2 children at 4 annas each for one year	Rs 1- 0-0
(j) Extra expenses	Rs 0- 8-0
Total	Rs 76-10-9
	or Rs 77- 0-0

This was the minimum needed to sustain an average family. In the calculation made above the expenses on ceremonies and festivals are not included. Nor is any provision made for medicines, travelling, etc.

The average net income per acre of the net cropped area was calculated by Stevenson-Moore at Rs 20-6-3.[60] Therefore the subsistence holding, i.e. a holding sufficient to support an average family, came to be around 3.7 acres or 4 acres each. About 32 per cent of the holdings belonged to those who had to supplement their incomes by engaging themselves as agricultural labourers or through other callings. This was true only in normal times. When crops failed those cultivating even 10 acres were not able to meet their subsistence requirements.

It is clear that a large segment of the rural population consisting of those who had no land or holdings below 4 acres in the normal situation and below 10 acres in the event of the crop-failures had to borrow in order to survive and carry on agricultural operations.

Generally most of the small cultivators and agricultural labourers borrowed grain from moneylenders in May-June when they exhausted their own stocks. Such debts were usually to be repaid in September-October with an interest amounting to 25 per cent of the principal. Failing that this amount of interest was added to the principal. In the following April-May interest was charged at the rate of 50 per cent of this amount. This was a vicious circle and very few borrowers could ever get out of their debt. Most of the borrowers ultimately had to surrender their lands to moneylenders. In some cases the raiyats were allowed to continue tilling the same lands as under-raiyats. This happened when the creditors were town-based or were unable to bring the new holdings under their own cultivation.

If the debtors were agricultural labourers without any occupancy rights over their lands or without lands, they became bonded-labourers to their creditors and had to work on their fields as long as they were not able to repay. They were seldom able to repay the amount. Thus their family members were reduced into hereditary bonded-labourers.

60. For details see: Stevension-Moore, *Final Report on Champaran*, p 165.

Sometimes zamindars or raiyats with substantial landholdings also became indebted because of their large spendings on festivals or ceremonies.

There was no agency other than that of moneylenders which could fulfil the credit needs of the peasants. During the entire nineteenth century cooperative credit societies were nowhere found in the district. In 1907-8 there were only 19 societies with 432 members and a working capital of Rs 4960. After a decade, though the number of societies had increased to 52, the membership was only 1284. Even during early years of the 1950s the membership was not even 10,000. The cooperative movement had made some headway only among sugarcane growers but sugarcane cooperatives had a very limited purpose. The opposition to cooperative credit movement came initially from moneylenders and landlords. Sweeney wrote as far back as 1919: "Natural enemies of the movement are moneylenders... and landlords, who fear the spirit of independence with it may engender in the raiyats...."[61]

Cooperative credit societies which came into existence were dominated by rich peasants and landlords who utilised their funds also for moneylending business. The directorships of the Motihari central cooperative bank were always in the hands of landlords and rich peasants of the area. Till now the character of management has not changed.

Even if cooperative credit societies had agreed to lend money to small peasants, they could have done so only for production purposes, while no money to meet consumption needs could have been advanced. Moreover the underraiyats with no security to offer could not have availed themselves of the loans given by credit cooperatives.

The government did not have any scheme to lend money to peasants to fulfil their credit needs in normal times. During the famines takavi loans were however given. Thus the dependence of peasants and agricultural labourers on moneylenders to meet their credit requirements was almost complete.

61. Sweeney, op cit, p 10.

Moneylenders included rich peasants and zamindars besides traders. The shahs of Motihari and marwaris of Bettiah, Chanpattia, Raxaul, Shikarpur and Bagaha were big moneylenders who dealt in grain trade also. Whenever these people lent money they insisted on repayment in grain. Since the prices of grain were lower at the harvest time when the repayment was made, they could get more grain.

Because of the high and quick returns in moneylending, professionals like lawyers, doctors, etc. also diverted their savings towards this business. For them this was a way to increase their landholdings by getting hold of the lands of those debtors who were unable to repay their loans.

Though the government later fixed the maximum rate of interest to be charged at 12 per cent, it was never observed in practice because of the dominant position of local moneylenders and absence of any alternative source of credit. However in the handnotes or pronotes the rate of interest stated was never more than 12 per cent but usually the amount of the principal mentioned therein was at least two times more. This was done in order to prevent the debtor from insisting on paying only the legally fixed rate of interest.[62]

The moneylenders also tried to renew the loan documents every three years in case the debtors were unable to repay but promised to do so when they would have the means. This renewal was necessary otherwise the loans could not be recovered because of their being timebarred. Moneylenders went to court only when the debtors refused to repay or they wanted to grab the debtors' landholdings.

Though the intention of the moneylenders was to get hold of debtors' landholdings wherever possible, there was one great obstacle in their way. In Champaran occupancy raiyats were forbidden from transferring their holdings through sale-deeds without the written permission of the zamindar concerned. This was because of local custom. It was not easy for moneylenders to obtain the permission

62. Motihari Collectorate Papers.

of the zamindar in the prevailing situation. In the three biggest zamindaris of the district this permission had to be obtained mostly from indigo planters who were de facto zamindars by virtue of their being tenureholders. They were against moneylenders getting hold of the lands of their tenants as there was a danger of their arrangements regarding indigo cultivation being disturbed. This led to enmity between planters and local moneylenders.

So far as small zamindars were concerned, they were not interested in moneylenders becoming their tenants by getting hold of the tenancies of existing occupancy raiyats for the simple reason that moneylenders as tenants would be so powerful that they would not be able to realise abwabs and begar.

What the moneylenders did was to get the debtors execute usufructury mortgage deeds. In a number of cases such mortgages were for a period of 60 years. The collector wrote in 1896-97: "The transferee who gets a mortgage with possession has none of these difficulties to contend with. The rent is still nominally paid by the old tenant, and the landlord in the majority of cases know nothing about the transaction. Even if he gets to hear of it, it is very difficult for him to do anything, as the raiyat and the mahajan, acting in collusion, can easily outwit him. Meanwhile the creditor retains his hold on the debtor, he can either cultivate the land and as himself or as is more usual he lets it out to the former raiyat at an exorbitant produce-rent."

During the last decade of the nineteenth century and the first decade of the twentieth century the mortgages were found to be twice as numerous as the sales of holdings. The reason for this, besides difficulty of getting the permission of the zamindar for the final sale, was that the raiyat who mortgaged his holding or a part of it could always cherish the hope of being able to redeem it some day and the moneylender also as a rule preferred a mortgage to a sale. In the first place it kept the raiyat within his power. No moneylender wanted to ruin his client outright and drive him away from the village. He wanted to keep him there as long as possible and take as much out of him

as he could. In the second place even if a moneylender got the sanction of the zamindar for the final sale of the landholding of a raiyat, he had considerable difficulties in getting himself recognised by the zamindar through mutation. For mutation in the jamabandi of the zamindar the moneylender either had to pay a substantial amount as salami or, if the landlord happened to be an indigo planter, he might be called on to execute an agreement to grow indigo on the most fertile portion of the holding for a number of years and this was not easy to do for a moneylender, particularly for a town-based one. Sometimes a professional moneylender had to enter into litigation with the zamindar to get his recognition through mutation in the jamabandi and the litigation proved both expensive and timeconsuming.[63]

There was no change in the situation regarding transfer of occupancy holdings by sale till the amendment of the Bihar (earlier called Bengal) tenancy act in 1938. The Bihar act 11 of 1938 provided that there was no need to obtain the permission of the zamindar for the transfer. However tharus had to obtain the government permission for alienating their land holdings. They were treated in this regard on par with the tribals.[64]

63. O'Malley, *Bengal District Gazetteers*: *Champaran,* p 98.

64. See: *The Report of the Rent Law Commission,* Vol I, p 17; Proceedings of Government of Bengal, Revenue Department (Land Revenue), June 1900, Nos 252-253 B; and Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), February 1918, Nos 26-28.

The Bihar act 11 of 1938 added section 26A which read as follows: "Transfer and request of occupancy-holding or portions thereof: (1) Every occupancy-holding or portion thereof, together with the right of occupancy therein, shall be capable of being transferred and bequeathed in the same manner and to the same extent as other immovable property, and all transfers made by sale, exchange or gift and all bequests shall, subject to provisions of subsection (2) be binding on the landlord (2) Every transfer of an occupancy-holding or a portion thereof, together with the right of occupancy therein, by sale, exchange or gift and every bequest of such holding or portion, together with the right of occupancy therein,

Sufficient data are not available from registry offices to show the impact of the Bihar tenancy (amendment) act of 1938 on land sales. However the Bettiah raj records show that immediately after the enforcement of this law there was a spurt in the mutations. During 1937-38 in thika villages 3.9 per cent of occupany-tenancies were affected by mutations and in kham villages mutations affected 5.5 per cent of the tenancies. As against them during 1938-39 the tenancies affected by mutations were 4.6 per cent and 6.8 per cent in thika and kham villages respectively. The manager wrote that "the increase is due to the facilities given to the tenants under Bihar tenancy act for the sale of occupany holdings without seeking prior permission of the zamindar". Two years later the percentage of tenancies affected by mutations came to 6.92.

Since land became a marketable commodity without any restrictions, its price also showed an upward trend.

AVERAGE PRICE PER ACRE OF LAND SOLD UNDER THE BETTIAH RAJ

	Rs-A-P
1939-40	52- 7-2
1943-44	169- 1-6
1944-45	300-15-0

It can thus be safely said that the legislation which made land a marketable commodity must have helped moneylenders in getting possession of the holdings of their debtors in the event of failure to pay back the loan and interest, especially when there was no compulsion to grow indigo.

shall be made in the same manner and subject to the same conditions as a permanent tenure in respect of registration and the payment of landlord's registration fee." Roy (ed), *The Bihar Tenancy Act, 1885 (Act VIII of 1885)*, p 21.

On 22 March, 1939, the provisions of chapter VIIA of the Bihar tenancy act were made applicable to tharus and oraons (dhangers) of Champaran, who were required to obtain the government permission to transfer their landholdings.—Proceedings of Government of Bihar, Revenue Department (Land Revenue), July 1940, Nos 32-38 A.

Transfers of proprietary rights were bound to be smaller in view of the fact that the three-fourths of the district was under three big zamindaris which remained almost intact throughout.

Up to 1898 there were only 51 transfers of proprietary rights by sale in the district and the area involved was 6913 acres for which Rs 1,61,205 was paid. Thus the price per acre came to Rs 23-5-1. Twenty-four of these transfers were made to zamindars and 27 to moneylenders. Raiyats and professionals like lawyers did not find any place among the transferees.[65]

Madhuban and Kesaria thanas accounted for most of these transfers, 14 and 16 respectively. Dhaka had 5 transfers.[66]

During the first decade of this century there were 114 such transfers by sale. These covered 10,970 acres and the price paid was Rs 5,56,953 or Rs 50 per acre. The increase in the transfers was mainly due to indebtedness in which many petty zamindars had been involved since 1888-89 because of security and famine.[67]

The average price per acre went up by a little over 100 per cent since 1898. The average price was 25 times the average rent. Table 6.18 shows that, again, Madhuban, Dhaka and Kesaria, besides Bettiah and Madhuban thanas were most affected by these transfers. The highest average rates per acre were paid in Dhaka (Rs 127-13-9) and Shikarpur (Rs 118-1-8) because of the scope of extension of cultivation had brightened with the construction of canals. The availability of irrigation facilities pushed up the per-acre average yield of paddy and reduced the dangers from failure of the monsoon. Moreover both these thanas got well-connected with the outside markets as a result of opening of new railway lines. Thus the value of land was bound to go up leading to higher rents.

65. Motihari Collectorate Papers.
66. Ibid.
67. Ibid.

Table No 6.18

TRANSFER OF PROPRIETARY RIGHTS BY SALE IN CHAMPARAN
(1901-10)

Thana	*Area transferred in acres*	*Price paid Rs-A-P*	*Average price per acre Rs-A-P*
Bagaha	nil	—	—
Shikarpur	83.40	9,850- 0-0	118- 1-8
Bettiah	853.64	47,235- 0-0	55- 5-4
Madhuban	527.19	43,985- 1-9	83- 6-1
Dhaka	1189.30	1,52,066- 0-5	127-13-9
Kesaria	7537.74	2,53,191- 6-6	33- 9-6
Gobindganj	238.90	15,203-12-0	62-14-2
Adapur	nil	—	—
Motihari	539.51	35,422- 0-0	66- 2-3
Total	10,969.68	5,56,953- 4-8	50-12-4

Source : Motihari Collectorate Papers.

Out of the total of 114 transfers 79 were to landlords, 21 to moneylenders, 1 to a tenureholder and 7 to raiyats. About 6 transfers nothing was known. Thus for the first time raiyats emerged as purchasers of proprietary rights.[68]

In the neighbouring district of Muzaffarpur, up to 1898 there were 417 transfers of proprietary rights as against only 51 in Champaran. This difference was mainly due to the fact that in Muzaffarpur petty zamindars dominated. Out of 417 transfers by sale, as many as 289, or 69.3 per cent, were made to landlords, and 88 or 21.2 per cent were to raiyats while only 35 or 8.4 per cent to moneylenders and 5 or 1.2 per cent to lawyers[69]

The purchase of proprietary rights was greatly motivated by the desire to acquire a higher status in the social hierarchy. This was a weighty consideration for the raiyats, traders and professionals who had money to buy proprietary rights. It was, to a large extent, correct to say that the purchase of proprietary rights was the

68. Ibid.
69. Stevenson-Moore, *Final Report on Muzaffarpur* p 327.

luxury of a rich man. This must have discouraged the investible surplus at the disposal of the people from going into such channels as trade and industry.

During the last decade of the nineteenth century the total area of occupancy land which changed hands in Champaran was 35,843 acres out of which only 10,608 acres was transferred by sale. The rest of the area was mortgaged. As against this between 1910 and 1919, the total area of the occupancy holdings transferred came to 1,45,285 acres out of which 40,733 acres was by sale and the rest was by mortgage.

Table No 6.19

TRANSFER OF OCCUPANCY AREA IN CHAMPARAN
(1892-99 AND 1910-19)

Period	*Transfer by sale*			*Transfer by mortgage*		
	Area acre	*Price paid Rs*	*Rate per acre Rs-A-P*	*Area acre*	*Amount advanced Rs*	*Rate per acre Rs-A-P*
1892-99	10,608	3,59,279	34-0-0	25,235	10,79,712	42-12-7
1910-19	40,733	32,38,466	79-8-0	1,04,552	83,75,054	80- 0-0

Source : Sweeney, op cit, p 113.

Thus during both the periods the area transferred by mortgage was more than the area sold, mainly due to the reasons which were discussed earlier.

Another interesting feature of these transfers was the increase in the average price per acre. This was mainly due to the rising prices of agricultural products and increasing pressure of population on land. In both the periods the average amount paid per acre was higher in the case of mortgage. This was because for mortgaged land the rent was paid by the raiyat concerned.

During the 1892-99 period transferees (both purchasers and mortgages) were as follows:[70]

70. Stevenson-Moore, *Final Report on Champaran*, p 142.

Transferees	*Number of transfers*	*Percentage of total number of transfers*
Landlords	654	3.4
Lawyers	70	0.3
Moneylenders	7,713	41.0
Raiyats	10,453	55.3
Total	18,890	100.0

Now coming to the period 1900-19 we find the transfers of occupancy area distributed in the following manner:[71]

Transferees	*Percentage of the total number of transfers*	
	by sale	*by mortgage*
Landlords	1.3	8
Lawyers, etc.	1.5	2
Moneylenders	46.2	58
Raiyats	51	32

The data presented above show that the role of the moneylenders increased over time. This might have been due to the fact that the indigo planters had started winding up their business and their role as credit-suppliers was declining. Besides, the advances for growing poppy given by them stopped completely by the end of the first decade of this century.

The impact of alienation on the pattern of distribution of landholdings in Champaran during permanent settlement cannot be studied in detail in the absence of concrete data. However the comparison of the two sets of sample survey data available in the government documents may show some broad trends regarding changes in the pattern of distribution of landholdings. Here a great limitation on the validity of our interpretations is that it is not possible to isolate the impact of partition of the holdings on their size-distribution.

71. Sweeney, op cit, p 113.

Table No 6.20

DISTRIBUTION OF LANDHOLDINGS BY SIZE IN 1899 AND 1951 IN CHAMPARAN

Size of holding in acre	*Percentage of total holdings of all sizes in 1899*	*Percentage of total holdings of all size in 1951*
Up to 1 acre	23.6	45.3
1-2	20.2	21.6
2-3	14.8	10.3
3-4	9.9	5.9
4-5	7.2	4.9
Over 5	24.3	12.0

Source : Compiled from Stevensen-Moore, *Final Report on Champaran*, p 167; and Prasad, Ranchor, *District Census Handbook*: *Champaran*

Table 6.20 suggests that during the first half of this century the number of holdings below subsistence level (i.e. 4 acres) was on the increase. In 1899 three-fourths of the holdings were below 4 acres while in 1951 such holdings accounted for 83.1 per cent of the total. Cultivators of the holdings of less than 4 acres could not support their families without outside employment for supplementing their earnings or without borrowing or without taking recourse to both. One feels that the hold of moneylenders and their share in the transfers of holding must have increased.

Since the share of the holdings below 1 acre increased from 23.6 to 45.3 per cent, the number of uneconomic holdings was obviously increasing.

Factors contributing to the fragmentation of holdings were partition and alienation. Both these factors operated owing to arrears of rent and repayment of debts. The broad trend emerging from the above data is that of growing impoverishment of the peasants in Champaran.

To sum up, the economy of Champaran has been predominantly rural. Throughout the period of permanent settlement more than 93 per cent of the population was dependent on agriculture. Champaran was a hindu-domi-

nated district. Upper-caste hindus dominated both the social and economic life of the district. They worked as zamindars, rent-collectors, clerks, priests, cultivators besides working as teachers, doctors and lawyers. None of them worked as agricutural labourer. The proportion of agricultural labourers as well as the incidence of landlessness was greater among the lower castes, particularly among the scheduled castes. Thus those belonging to lower castes were weak both socially and economically.

Eight castes of the district virtually dominated the rural economy because in 1899 they accounted for 60 per cent of the occupied area though their share in the total population was only 36.4 per cent. The average size of their holdings was bigger than the district average. Other castes had most of their holdings below subsistence level.

The cultivated area as percentage of the total cadastrally-covered area of the district showed an upward trend throughout, except for a brief period between 1899 and 1919. The slight decline during this period was because of the acquisition of land for railways and canals. After 1919 the cultivated area kept on increasing because of the movement of population in the northern parts of the district where land-productivity had increased as a result of the opening of the Tribeni canal. The construction of railways also helped the movement of population in the northern parts where cultivable land was in plenty.

The crop-pattern of the district till the first decade of this century showed a predominance of rice. The rice crop was entirely dependent on the monsoon, in the absence of artificial irrigation. Any failure of the monsoon led to scarcity condition or famine in the district. Thus the root cause of famines was the lack of diversification in the crop-pattern due to the absence of irrigation facilities.

Till 1896-97 neither the zamindars nor the government took any interest in providing irrigation facilities for protecting the peasants from the failure of monsoon and the impending scarcity or the famine situation. This was because of the type of arrangement resulting from permanent settlement. The government did not take any interest on the ground that the zamindars would benefit

more from such improvements and therefore it was their responsibility to undertake them. The zamindars did not show any interest in these improvements for reasons explained earlier.

Raiyats who had no firm occupancy rights did not have any incentive for investing in digging wells. The tenure-holders also did not have any incentive because of the absence of any permanent interest in land.

During the famines agricultural labourers, artisans and small farmers suffered the most. The agricultural labourers suffered because of lack of employment opportunities and the artisans owing to absence of any buyers for their wares. The rich peasants and moneylenders more than made up their loss. The burden of debts on the poorer sections of rural society increased and there were transfers of landholdings through sale or mortgage from small and medium peasants to zamindars, moneylenders and rich raiyats.

The effect of the famine was felt through shortage of cattle, seed and the weak healh of the labourers for a number of years after the famine was over. There was a decline of the net cropped area.

A famine in the district meant not only a lack of purchasing power to buy foodgrains at ruling prices but also an absolute dearth of grains. Whenever there was a famine and scarcity situation in Champaran, the neighbouring areas felt it much more acutely because in normal times Champaran was an exporter of foodgrains to them. Whenever there was a shortage of foodgrains in Champaran the prices in the neighbouring districts rose more sharply and there was a tendency on the part of traders to export them to these districts.

The zamindars of Champaran remained almost completely indifferent to the sufferings of the people during famines. They did not respond favourably to the government appeal to remit rent nor were they inclined to make donations to famine relief fund.

The government tried to start relief works for provid-

ing job opportunities to the people who could do manual labour. In this way the government put some purchasing power in the hands of the people and in 1873 it imported foodgrains to be paid as wages in kind. However the government did not try to mop up the available foodgrains and supplement the stocks by imports and distribute them through ration shops at fixed prices. This arrangement could have necessitated grant of subsidy to keep the prices down. Since the government revenue demand was fixed forever under permanent settlement it did not have any mechanism to recover its expenses from the rural people.

The construction of canals and railways reduced the danger of a scarcity situation developing into a famine. The former reduced the reliance on the monsoon and increased the productivity of land while the latter made easier the task of importing foodgrains. Thus there was no famine in the district during the twentieth century.

The opening of railways increased the export trade in agricultural products. This provided an impetus for extension of cultivation.

The construction of canals resulted in an increase in the area under aghani crops and in double-cropping. Aghani paddy was substituted more and more for inferior crops and certain areas with assured irrigation stopped the cultivation of inferior grains altogether. Since as a result of canal-irrigation the per-acre yield of paddy was rising up to 125 per cent, the price of rice was showing an upward trend and export of rice was also rising, the peasants were better off. This was also responsible for giving up the cultivation of inferior crops or for reducing the area under them. Thus the decline in the inferior crops most of which came under rabi led to a decline in the area under rabi.

After the completion of the first survey and settlement operations, the occupancy raiyats came to have the largest share (83 per cent) in the total occupied area of the dis-

trict. Their increasing share and the decline in the area under bakasht malik and the zirat of tenureholders meant that there was a tendency for land to pass from the possession of landlords into the hands of raiyats. It also meant that the zamindars and tenureholders had no intention of increasing the area under their own cultivation.

There was an increase in the area in the possession of underraiyats between the settlement operations but they did not claim any significant share in the occupied area. Under-raiyats mostly belonged to lower hindu castes and were agricultural labourers attached to particular landlords. There was generally an increasing tendency on the part of landlords to realise their rent from under-raiyats in produce rather than in cash though in the case of occupancy-raiyats the incidence of cash-rent was increasing because of the legal provision for the commutation of produce-rent into cash-rent. This safeguarded the landlords against rising prices of foodgrains leading to a fall in the value of the money. Produce-rent was preferred by moneylenders and traders who became landlords because this way they could increase the stock of foodgrains at their disposal.

Big landlords generally preferred cash-rent to produce-rent as the latter meant administrative difficulties. Cash-rent was easy to collect and there was less danger of leakage at various levels of collection while it was not so in the case of produce-rent. The system of produce-rent needed an elaborate machinery for supervision and appraisal of the crops besides storage and marketing facilities. All these requirements meant increased cost of collection of rent. Produce-rent was generally more prevalent in the areas dominated by petty zamindars and subject to diluvion.

There were several ways of determining produce-rent. The landlords who could supervise the reaping and threshing of the crop generally preferred batai method of determining the produce-rent. These landlords were generally local people. But the moneylnders and traders,

particularly town-based, preferred hunda system. Under the batai system the risks involved in cultivation were shared by both landlord and the raiyat but in the hunda system they were borne entirely by the raiyat. Between the two systems, the hunda system gave relatively more incentive to the cultivator to increase production by investing in inputs like seed, manure, etc. But both these discouraged long-term investments because of uncertainty about the future.

The average rate of rent was lower in Champaran than in other districts because of the lower density of population resulting in a weaker demand for land. Inside the district it had a direct relationship with the density of population. Over time the average rate of rent had a tendency to increase because of increasing density of population, rising prices and higher productivity of land.

Almost 95 per cent of the agricultural labourers were paid in kind. They did not suffer any diminution in their real earnings. The labourers who received cash wages suffered a reduction because their nominal earnings failed to keep pace with rising prices. The nominal wages moved slower than the prices. There was a lag of 3 to 4 years between prices and wages.

The subsistence holding for an average peasant family in Champaran came to 4 acres. About 66 per cent of the holdings could support their cultivators in 1899 but in 1951 only 16.9 per cent holding could do this. It meant that the families who had to supplement their earnings from other sources increased over time.

Private agencies were almost the only source of rural credit throughout the period of permanent settlement. Cooperative credit societies came into existence in the twentieth century. Because of their small number, and limited membership and loanable funds at their disposal they failed to make any impact in regard to rural credit. Besides they were dominated by rich raiyats and money-lenders who utilised their funds for their own operations.

Agricultural labourers and small raiyats borrowed more for consumption than for production purposes. As a result of lack of sources of rural credit on easier terms, the borrowers were charged rates of interest far exceeding 25 per cent. The lenders had devised ways and means to scuttle the government regulation about the maximum rate of interest.

The lenders were interested in getting hold of the lands of the borrowers but because of both legal and other difficulties in the way of getting them transferred by sale they preferred usufructury mortgages. That is why the area of the occupancy holdings transferred by mortgage was much more than that by sale.

The transfer of proprietary rights was smaller in Champaran because of the fact that three-fourths of the district were under the three big zamindaris which remained almost intact throughout the period of permanent settlement. However the number of such transfers as well as the price per acre also increased over time, on account of rising prices of agricultural products, higher productivity of land and greater demand for land. The demand for proprietary rights existed not only because these rights afforded a profitable channel of investment but also because they gave a higher status to the purchasers in rural society.

The role of moneylenders as suppliers of rural credit increased over time. This was because of the decline of indigo and poppy and advances associated with them. The importance of moneylenders was reflected in their increased dominance as transferees of occupancy holdings.

Throughout the period of permanent settlement the structure of rural economy remained unchanged. The zamindar and intermediary tenureholders remained at the top and occupancy raiyats, nonoccupancy raiyats, under-raiyats and agricultural labourers below them. However over time the numerical strength of raiyats of various descriptions and of agricultural labourers registered an

increase. The essential features of the economic life of a typical village did not change much and the percentage of the population dependent on agriculture remained almost unchanged. However with the increasing penetration of manufactured items like cloth, salt, sugar, metal utensils, etc., some of the artisan castes like jolaha, nunia, kumbhar, etc., lost their old vocations and were forced to join the ranks of agricultural labourers.

Chapter Seven

AGRARIAN AGITATIONS IN CHAMPARAN DURING PERMANENT SETTLEMENT

Champaran witnessed long-drawn agrarian agitations during the nineteenth and the first half of the twentieth century. These agitations during the period of permanent settlement may be divided under three heads: viz (a) agitations against indigo planters during the nineteenth century, (b) agitations against them during the twentieth century, and (c) agitations against local zamindars.

The peasants of Champaran had been free since very early times to decide what to produce and how much to produce. Zamindars and Indian tenureholders had never interfered with their production-decisions. But the situation radically altered with planters as tenureholders. As noted earlier, the cultivation of indigo by peasants under the *assamiwar* system involved an element of compulsion. As thikadars and mukarraridars, planters exercised zamindari rights and the majority of raiyats having no firm tenancy rights were at their mercy. In the prevailing tenurial arrangements they had no option but to submit to the dictates of the planters. The planters frequently suffered a loss on account of thika leases which they had to make up besides earning a profit from indigo.

During the early years of the last century peasants had most of their wants locally satisfied. They did not require items manufactured in factories in any significant quantity. Their need for money was very small because, besides paying rent and buying a few items not produced locally, they seldom required cash. In Champaran the need for cash was easily met by growing poppy. Under these circumstances production for the market was bound to be limited. Thus the compulsion by

planters to grow indigo was resented by raiyats because it resulted in the curtailment of the area under foodgrains—particularly rice which was the major crop. With low productivity of land, uncertainty of the monsoon and in the absence of any protective irrigation facilities, any reduction in the area under foodgrains adversely affected the standard of living of the raiyats.[1]

Indigo cultivation under the assamiwar system did not fully pay a raiyat for the labour he expended on it. Without much economic return he had to undergo unusual botheration and hardship and put in hard labour for carrying on indigo cultivation. H. L. Dampier, secretary to the government of Bengal, told the government of India in a communication in October 1868 : "At present the ryot's profits out of a beegah of indigo must, according to the planter's own admission, be nothing or next to nothing; according to their calculation the cost of preparing a beegah of indigo is Rupees 4, and Rupees 2-8 or 3 for rent, and the balance, out of Rupees 7-8, will leave hardly enough to pay the dustoree which the amlas are sure to exact."[2]

Minden Wilson, a planter himself, admitted that "in 1847 the rates paid for ryotti indigo were very low—Rs 6-8 per acre for good plant—and as *ryots* often had to pay high rents, very little remained to the cultivator after paying this".[3]

The commissioner of the Patna division wrote in 1872-73 that indigo grown under the assamiwar system was not a paying crop for raiyats at the ruling prices of that time. The cost of cultivation of indigo was Rs 4-11-0 per bigha (1 bigha-7225 square yards) and even with the highest price the profit came to only Rs 0-9-4 whereas the profit from a rabi crop on the same land came to about Rs. 3.[4] Dr Francis Buchanan went to the

1. Letter of the Collector of Saran to the Commissioner of the Patna Division in 1860 on the problems of indigo growers of Champaran (see: Motihari Collectorate Papers).

2. Proceedings of Government of India, Home Department (Public), January 1869, Nos 108-114 A.

3. Wilson, op cit, p 128.

4. Proceedings of Government of Bengal, General Department (Miscellaneous) November 1873, Nos 100-113 A.

extent of saying that the return from indigo to a raiyat in certain cases did not even exceed the rent of the land.[5]

Raiyats knew that planters were making enormous profits from indigo. Relying on the data published by the director, land records and agriculture. Bengal, Watt framed the budget of a typical indigo factory in Bihar and, on that basis, calculated that it earned 100 per cent profit on its working capital.[6]

No planter ever ploughed back even a portion of the profits from indigo for providing facilities to the peasants and for improvement of agriculture. The planters never cared to provide irrigation facilities which could reduce the risks arising from the uncertainty of the monsoon and lead to both diversification of crop-pattern and increase in the area under double-cropping. The magistrate of Muzaffarpur admitted as far back as 1877 that the low price paid to the peasants for the indigo crop was to an extent due to the "frequent retirements from the country of planters who have made their fortunes". The senior planters retired and the junior ones took their place. How this change affected the peasants adversely was explained as follows : "It is difficult to believe that a rich proprietor, residing in the district and seeing his wealth accumulate year by year at the expense of his ryots, would refuse to make concessions from time to time in their favour. But when he quits the country, he ceases to think of the labourers by whom his wealth is produced, while the manager (if a junior partner) is eager to pay

5. Quoted in Dutt, *The Economic History of India Under Early British Rule* (1757-1837), p 170.

6. The budget of a factory growing indigo on 1500 acres of land was prepared. The thika rental payable to the zamindar was Rs 69,000 but the amount received from the *raiyats* by the factory in its capacity as a leaseholder was Rs 70,000. The factory thus, had an income of Rs 1000. Nearly Rs 1,20,000 was required under various items for working expenses, including establishment. The actual yield of the dye was 1150 maunds which sold for an average price of Rs 200 per maund thus bringing in Rs 2,30,000. The factory got almost cent per cent profit on its working capital. The cost of raw material was calculated to be only 15 per cent of the total cost of production of the dye. See: Watt, *Pamphlet on Indigo*, p 56.

off the borrowed money with which he has bought his share and make his own fortune."[7]

Indigo-growers were usually cheated both in the measurement of land to be devoted to indigo and the weighment of the produce. This was a cause of resentment among the raiyats. They had to grease the palms of factory servants, otherwise they were harassed on the charge that they did not devote the requisite amount of land to indigo and that they did not deliver the full produce to the factory.

Hiring of ploughs and bullock carts caused discontent among the peasants because the planters paid for them at less than the prevalent rates. In 1868 there were many instances where planters paid 9 pies for a bullock cart when the rate fixed by the magistrate was 2 annas per cart and 5 pies for a plough when the prevailing rate was 3 annas.[8] Raiyats were forced to give their bullock carts and ploughs to planters. Any refusal on their part could have landed them in greater troubles because planters were de facto zamindars and were otherwise influential too. Bullock carts were required for transporting indigo crop to the factory and the ploughs were needed for tilling zirat lands of planters.

There was a general lack of sympathy for peasants on the part of planters. John Beames, the district magistrate of Champaran during 1866-67, called many of the planters as "rough, uneducated men, hard drinkers, loose livers and destitute of sympathy for natives".[9] Most of the planters were earlier slave-drivers in America and had a clear imprint of their past on their dealings with the peasants.[10] To give a typical instance, when Beames was the chief executive of the district a raiyat refused to sow indigo. The planter sent his men to deal with him. They ploug-

7. Annual General Administration Report of the Commissioner of the Patna Division for 1876-77, No 170, para 100. See also Wilson, Minden op cit, pp 72-87. Wilson has described how the indigo factories changed hands during the nineteenth century.

8. Proceedings of Government of India, Home Department (Public), April 1868, Nos 158-59 B.

9. Beames, op cit, p 172.

10. Buchanan, op cit, pp 37-38.

hed up the land around raiyat's hut, sowed it, fenced it with a hedge of thorns and told him that if he set foot on it, he would be sent to jail for trespassing. A watchman was posted. Consequently the man and his family could not even go to the well for water. After two days when no food was left in the house, he escaped by night eluding the watchman. He lay hidden till daylight and then made his way to Beames to tell his tale of sorrow. Beames came across a number of such instances during his two-year stay in the district. Later he wrote: "In the eyes of a Champaran planter, a man who refused to grow indigo was a rebel and dangerous and all measures were lawful against him."[11]

Moreover planters employed notorious goondas of the locality whose main job was to bully the peasants and make them submit to the dictates of the planters. These underlings indulged in all kinds of oppression and extortion from raiyats. The commissioner of the Tirhut division frankly admitted: "The misconduct of amla is responsible for much of the hostile criticism against indigo cultivation" and there were serious objections to "giving amla equal powers with the manager to select the land to be planted with indigo and to issue orders regarding cultivation, cutting and loading".[12]

Amlas took away a certain percentage of the indigo advances to peasants as a matter of right. The cuts went by the name of dustoori. Such extortions were certainly winked at, if not openly sanctioned, by planters as part of the legitimate perquisites of the amlas.

Planters themselves levied abwab on raiyats, though the imposition of abwab was illegal and forbiden by law. Abwab usually came to 60 to 100 per cent of the rent.[13]

All attempts by the government to stop realisation of abwab by planters failed. Even years after the Bengal tenancy act

11. Beames, op cit, p 174.

12. Proceedings of Government of Bengal, Revenue Department (Land Revenue), May 1911, Nos 9-11 A.

13. *Report of the Committee on the Agrarian Condition in Champaran*, Vol I, Chapter III.

came into force, abwab continued as "an ordinary incident of zamindari management".[14]

There was complete understanding among the planters about the monopoly over indigo cultivation for each factory in its area. There was thus no competition and the result was that the price paid to the grower for his indigo was stationary even while the prices of other crops increased. Raiyats devoid of occupancy rights could not bargain with the planters for a remunerative price. Since there were no alternative sources of livelihood they had to cling to land. The outbreak of a famine in 1866 made the situation worse because the rapid increase in the prices of other crops made indigo much less remunerative than before.

Upper-caste peasants, mainly brahmin and rajput, considered it below their dignity to be ordered and supervised by factory servants who generally belonged to lower castes in the matters of indigo cultivation.[15]

The result was a serious discontent among the peasants, which became more widespread after the constitution of the Indigo Commission for Bengal. Peasants of Champaran also started entertaining hopes of getting a commission of inquiry. This encouraged them to agitate for attracting the attention of the government.

It was during 1867-68 that indigo industry in the district was seriously threatened for the first time. A strong demonstration took place against the cultivation of indigo in Joketya a village under the Lal Saraya factory. Peasants showed their determination by sowing with cold weather crops the plots prepared for indigo. This was followed by setting on fire the Lal Saraya planter's bungalow and by some acts of violence. The Joketya peasants were soon followed by others, and the situation developed into some sort of an uprising. In one village agitation

14. *Report on the Land Revenue Administration of the Lower Province* for the Year 1892-93, p 47. Also see the report for 1900-1, p 26.

15. Proceedings of Government of Bengal, Revenue Department (Land Revenue), May 1911, Nos 9-11 A.

lasted for four months. Peasants went to the collector and the governor-general, demanding judicial probe by a commission.[16]

The government admitted the genuineness of peasants' complaints and in a report submitted on 17 October 1868 to the government of India the government of Bengal observed: "The events which are reviewed in the letter have, the lieutenant-governor thinks, conclusively shown that the time has passed when it could be hoped to carry on an indigo concern profitably by forcing on the ryots a cultivation and labour which is to them unprofitable. It has been made evident that the indigo planters must be prepared to close their factories, or to give to the ryots in some shape or the other a remuneration which shall make it worth their while to grow indigo."[17]

The communication from the government of Bengal was the result of the reports received from the district authorities who had, without any exception, reached the conclusion that the cultivation of indigo had become very unpopular and "there was not a raiyat who would not abandon the cultivation if he could; and this state of things was ascribed as much to the insufficiency of the remuneration which the raiyats received as to the exactions, oppression and annoyance to which they were exposed at the hands of the factory servants".[18]

The government considered the proposal of inducing planters to change over from the assamiwar system to the zirat system because the former was considered as the root cause of all the grievances of the peasants. However there arose some serious difficulties in the implementation of the proposal. Land in sufficient amount for zirat cultivation could be had only after forcing the nonoccupancy raiyats to surrender their holdings and this would have created more discontent among the peasants. No raiyat would have liked to surrender his holdings willingly and

16. Proceedings of Government of Bengal, Judicial Department, October 1868, Nos 209-32; and May 1868, Nos 75-79.

17. Proceedings of Government of Bengal, Judicial Department, October 1868, Nos 209-32; and No 100 of 1869.

18. *The Report on the Administration of Bengal Presidency* for 1868-69. Also see: *Selections from Papers Relating to the Bengal Tenancy Act* 1885, p 6.

join the ranks of landless labourers. Planters, in spite of their professed willingness to opt for zirat cultivation, expressed their inability to do so because they would have then faced the problem of getting enough labour, ploughs and carts, besides land. Even if they could get them, they would have to pay for them at market rates that would have reduced their profit margin.[19]

Some planters did make a bid to extend the area under their zirat cultivation wherever and whenever it became possible. This was generally done when a raiyat deserted his holding or died without any legal heir. During the 1860s and 1870s, a number of raiyats fled to Nepal territory because of the oppression by planters and their servants. C. T. Metcalfe, officiating magistrate of Champaran, informed the government of Bengal in 1868 that the raiyat "either accepted the terms or crossed the frontier into Nepaul. If he followed the latter alternative, the land became factory zerat, and partly by lands becoming thus unoccupied and partly by interchange of holdings, each factory became possessed of large contiguous sheets of land suitable for cultivation. A traveller journeying from Mozufferpore to Moteeharee, a distance of fiftytwo miles, will pass through a connected link of zerats. Many of the men who formerly tilled those lands have now settled in the terai."[20]

Thus the assamiwar system of indigo cultivation remained. It was felt that it should be reformed in such a way that it became trouble-free in future and for that certain steps were taken, which included magisterial interference whenever trouble arose, punitive police force and the establishment of a small cause court at Motihari. Planters were induced to increase the price of indigo crop offered to the raiyats from Rs 9 to Rs 12 per bigha. Before 1867 a raiyat was obliged to devote five to six kathas per bigha to indigo cultivation. In 1867 it was reduced to 4 kathas and in 1868 it was fixed at 3 kathas per bigha.[21]

19. Proceedings of Government of India, Home Department (Public), January 1869, Nos 108-14 A.

20. Ibid; Also see: Proceedings of Government of Bengal, Judicial Department, October 1869, No 216.

21. This gave birth to the term tinkathia=three-twentieths of a bigha.

The government rejected the demand for the appointment of a commission of inquiry because it thought that the above-mentioned steps were sufficient to improve the situation. But there was no real improvement. The small cause court, police and magisterial inteference failed to fulfil the role which they were assigned by the government mainly because of the weak economic and social position of peasants and the strong resistance by the organised planters. The increased price of indigo was not sufficient to give an adequate return to cultivators and this was admitted even by the commissioner of the Patna division. He wrote: "During the late disturbances, my aim... has been to induce the planters... to raise their rates of remuneration for indigo produce, and to preserve the peace between the Natives and Europeans.... The planters.... have agreed to pay Rupees 12 per beegah instead of Rupees 7-8 and 9 as heretofore; and this, too, free of all dustoree, which hitherto has been admittedly taken by the go-betweens of the factory from the cultivators. Matters are looking more favourable though I am not prepared to say that Rupees 12 is sufficient...."[22]

For some time the peasants were mollified. During the visit of the lieutenant-governor of Bengal to north Bihar in 1871-72, however, large crowds of peasants turned up at almost all the places and complained against indigo planters and demanded his intervention.[23] The lieutenant-governor was convinced after his tour that: "The Bihar indigo system is not altogether a healthy one, fairly based on free-trade, but that it has about it elements of quasifeudal compulsion, which, acting with the uncertainty of tenure and unsatisfactory character of litigation tend to broils, and hold out temptation to high-handed practices on the part of those individuals who are at all inclined to such temptations."[24] But he did nothing except giving instructions to the zamindaris under court of wards to stop the practice of

22. Proceedings of Government of India, Home Department (Public), January 1869, Nos 108-114 A.

23. *Report on the Administration of Bengal Presidency* for 1871-72, Part I.

24. Proceedings of Government of Bengal, General Department (Miscellaneous), August 1873, No 38.

giving thikadari leases to planters and hoped that planters would in their own interests "obtain indigo on mercantile principles" from peasants.[25] Since, in Champaran at that time there was no zamindari under the Court of Wards, these instructions were not applicable.

The situation remained unaltered and in 1872-73 the government admitted that "...ryot or cultivator has little or no interest in the success of indigo crop, which he cultivates as one of the conditions of his tenure".[26]

The outbreak of famine in 1874 aggravated the situation. Geddes, a special officer inquiring into the famine, clearly pointed out that the area devoted to indigo under tenurial compulsion had been extensive and fertile. If that area had been devoted to foodgrains or other crops at the discretion of the peasants, it would have produced as much as three-fourths of the total quantity of rain which the government had to import during 1874-75. Peasants came to believe that the diversion of a portion of their most fertile land to indigo was an important factor leading to the famine situation when the monsoon failed.[27]

The rising prices of foodgrains and the stationary price for indigo made it less remunerative. The price of common rice increased from 22 seers per rupee in 1872-73 to 13 seers 6 chhatakas per rupee in 1878-79 and declined only slightly in 1888-89 when it came to 15 seers 12 chhataks per rupee.[28] The index number of foodgrain prices for Bihar and Orissa rose from 100 in 1873 to 146 in 1900.[29]

25. *Report on the Administration of Bengal Presidency* for 1871-72, Part I.

26. *Report on the Administration of Bengal Presidency* for 1872-73. Also see: Annual General Administration Report of Patna Division for 1872-73.

27. Proceedings of Government of Bengal, General Department (Miscellaneous), July 1876, Nos 1-4.

28. Annual General Administration Report of Patna division for 1872-73, 1878-79 and 1888-89.

29. Bose, S.R., *A Statistical Survey of Foodgrain Prices in Bihar and Orissa,* 1861-1934.

This led to a widespread discontent among the peasants. The commissioner of the Patna division admitted: "I am bound to say... after going into the question that as a direct matter of price, a crop of indigo does not as a rule pay the ryot... the rubee crop it displaces. Indirect advantages it may have in the way of diminished risk... and also as a very useful change from cereals (for it draws its sustenance from a much lower stratum of soil); but the ryot naturally looks at the question of direct profit, and prefers the crop which gives most direct profit and least trouble."[30]

The troubles which sprang from such a state of affairs were bound to be very serious. The refusal by raiyats to grow indigo on the terms dictated by planters led to riots, murder of peasants, plunder of their properties and ejection from land.[31] The commissioner was quite aware of the seriousness of the situation and compared it to "a volcano, which may at any time bubble up and boil over".[32] He suggested a commission to inquire into the whole affair.

This suggestion was however not acceptable to the lieutenant-governor Richard Temple who remarked: "The appointment of a commission would be a very serious matter; by itself it would create a considerable disturbance, it would excite feelings which would not readily subside; it would shatter vested interests, place capital in jeopardy and bring proprietary status and occupancy rights into uncertainty for a time."[33]

It is needless to add that the government of Bengal always took the view that a commission of inquiry would open a pandora's box and force it to take such steps that would alienate the planters. But the worsening relations between the plan-

30. Annual General Administration Report of Patna division for 1874-75.

31. Proceedings of Government of Bengal, Police Department, June 1875, Nos 37--44; September 1876, Nos 1-7; and December 1876, Nos 1-7 and 14-17.

32. Annual General Administration Report of Patna division for 1875-76.

33. Proceedings of Government of Bengal, General Department (Miscellaneous) July 1876, Nos 1-4.

ters and peasants were a serious threat to law and order and therefore caused anxiety among the authorities. To soften the feelings of the peasants, Ashley Eden, who had succeeded Richard Temple in 1877, initiated certain measures to reform the rent law, and instituted magisterial inquiries, though the magistrates were selected in such a way that they were not likely to go against planters.[34] He also impressed upon the planters to mend their ways and impose some collective checks on erring ones. Consequently the Bihar Indigo Planters' Association was formed in 1877-78 with headquarters in London and an office of the central committee at Muzaffarpur and branches in indigo-growing districts. A set of rules was drawn up by the association in consultation with the government of Bengal. The rules aimed at bringing about certain reforms in the assamiwar system. They provided for non-enhancement of raiyats' rent so long as they grew indigo. They strictly prohibited dustooree and harassment of raiyats by factory servants and provided for the fixation of minimum price of indigo.[35] No doubt, these steps improved the situation for some time.

By 1876 the Bettiah raj had sunk so deep in debt that the government informally intervened and got T. Gibbon, a planter, appointed as manager. As already mentioned earlier, the raj raised a huge loan in London in 1885 and to fulfil the terms and conditions of the loan it had to give a large portion of the raj to planters on mukarrari lease. They came to exercise zamindari rights over 46 per cent of the district. Planters thus got enormous powers to force the raiyats to grow indigo on terms dictated by them. Consequently the discontent among the peasants grew and they started putting stiff resistance.

Towards the last decade of the nineteenth century the introduction of the synthetic dye in the international market radically altered the situation. There was a sharp decline in the price of the natural dye. The indigo industry was on its way out.

34. Proceedings of Government of Bengal, Judicial Department, June 1877, Nos 1-4.

35. Proceedings of Government of Bengal, Judicial Department, March 1878, Nos 29-30; and May 1879, Nos 333-34 B.

Planters adopted a number of measures to make as much money as possible. The relations between planters and peasants also changed and as a result of two important steps taken by the government, viz the Bengal tenancy act of 1885 and the survey and settlement operations during the last decade of the nineteenth century, which secured occupancy right to the peasantry. Thus the agitation took a different turn and the issues also changed.

It appears that during the first phase of the agitation the peasants wanted to give up indigo cultivation under the assamiwar system because it was not remunerative to them. Planters on the other hand tried their best to get the area under the assamiwar indigo increased. Thus there was a conflict of interest between the peasants and planters.

During this phase agitation against indigo plantation was sporadic and seldom unified or districtwise. It took all forms from petitioning to the authorities and demonstrating against planters to deserting their villages and fleeing to Nepal as well as taking resort to violence.

Though British authorities admitted the genuineness of peasants' grievances and were aware of the causes of the strained relations between planters and peasants, they did little to evolve a mechanism to get remunerative prices for indigo crop, rates for carts, wages for labourers or remove the fetters on the allocative freedom of the peasants. What they did was to put pressure on planters to get some concessions to peasants, which acted as just palliatives.

The main factor underlying the second phase of the peasant agitation was the attempt of planters to force the tenants to grow indigo in order to make the best of a bad situation arising out of the decline of the indigo industry.

It should be noted here that all European intermediary tenureholders in Champaran were not indigo planters and dye manufacturers. The nonindigo planters were mainly in the northwestern part of the Bettiah subdivision at Madhubani, Chautarwa, Belwa, Naraipur, Bhasurari, Lauriya and Chanpattia. They held villages on thika from the Ramnagar and the

Bettiah rajs and grew oats, poppy, paddy, sugarcane, etc. Some of them changed over to indigo-cultivation and the dye manufacture during the first world war when the demand for the natural dye increased and the cultivation of poppy declined.[36] However they also resorted to assamiwar system for the cultivation of these crops except for poppy.

Indigo factories during the second phase could be classified into four categories:[37] (a) those which held most of their land on mukarrari lease from the Bettiah raj, e.g. Pipra, Turkaulia and Bara; (b) those which held their land partly on mukarrari and partly on thika, e.g. Motihari; (c) those which held their land mostly on thika from the Bettiah raj, e.g. Bairia and Mallahia; (d) those which held their land as zamindars or as leaseholders from zamindaris other than the Bettiah raj, e.g. Nawadah and Parsauni.

It is necessary to keep this in mind in order to understand the ways adopted by various indigo planters to make good of the situation arising out of the declining demand for the natural dye. The methods varied according to the types of zamindari rights exercised by the planters. Consequently the nature of issues involved in the agitation also varied from factory to factory.

The earliest attempt to give up indigo plantation was made by the Hardia factory in the year 1889-90. This was on account of the fear that the coming years were going to prove disastrous for the industry owing to the entry of the synthetic dye in the world market. It tried to substitute paddy for indigo for the rest of the period of the satta but the government did not allow this as it was considered illegal.[38]

A few years later two other factories in the northern part of the district substituted a fixed payment of paddy for allowing

36. Tirhut Commissioner's file, No 12 of 1917; and Proceedings of Government of Bihar and Orissa, Political Department (Special), 1917, file No 1571.

37. Proceedings of Government of India, Home Department (Political), February 1913, No 84 A.

38. Annual General Administration Report, Patna Division, for 1889-90.

the raiyats freedom from growing indigo for the rest of the period of the satta. However they also had to give up their attempts because the government told them that their action was not legal. Some others tried to substitute sugarcane or oats for indigo in their sattas with peasants.[39] The Bara factory, for example, substituted in some cases sattas for 1½ kathas of sugarcane for 3 kathas of indigo to be grown by raiyats, though growing of crops other than indigo under the satta was explicitly forbidden by a bylaw of the Bihar Planters' Association.

Thus they found it very difficult to switch over to other crops which could be grown under the assamiwar system.

In 1911 indigo factories started abandoning indigo plantation in a big way. This swing continued unchecked but for a brief period during the first world war.

They tried to make good the losses mainly through sharahbeshi (rent-enhancement) and tawan (payment of compensation and damages by raiyats). In the first case agreements were to be executed with the raiyats for the payment of enhanced rent because planters offered to free them from the obligation to grow indigo on a specific portion of their holding. This was adopted mainly in the mukarrari areas. In the second case a raiyat had to pay a lump sum as damages in consideration of freedom from the obligation to grow indigo. In this case money was not always immediately paid. Raiyats executed bonds for the sums agreed upon at 12 per cent rate of interest. This method was adopted mainly in the thikadari areas.

In both cases a promise was made to the raiyats that neither the factory nor its successors would ever ask them to grow indigo under the assamiwar system.[40]

The other two methods, viz harja and hunda, were not adopted on any significant scale. Harja was a yearly payment at Rs 3 per bigha and the planter retained the right to demand res-

39. Proceedings of Government of Bihar and Orissa, Judicial Department (Political), 1917, file No 52; and *The Bihari*, Patna, 21 July 1917.

40. Proceedings of Government of India, Home Department (Political), February 1913, No 84 A.

umption of indigo-cultivation whenever he so desired. In one case (Hardia factory) indigo had not been grown for more than 17 years and yet harja was realised.[41]

Hunda concerned zirat lands. After indigo plantation became unprofitable planters tried to get rid of their zirat lands by forcibly settling them on the raiyats and asking them to pay fixed sums of money regularly.[42]

The attempts by indigo planters to compensate themselves for losses arising out of declining indigo industry were resisted by the raiyats. The first major friction arose in the areas held by the Motihari factory in 1905-6. It resulted from the attempts of the manager to reduce zirat cultivation of indigo and settle zirat lands on raiyats for hunda payments. The stiff resistance by raiyats made the factory retreat. In 1906-7 again there was some agitation in the areas of Motihari and Belwa factories but it soon died down.[43]

By 1907 the resistance of the raiyats gathered strength and manifested itself sometimes in terroristic acts. The trouble in the areas under the Telhara factory culminated in the murder of its manager, Bloomfield, who had refused to sanction the transfer of raiyats' holdings except at a higher rate of salami.

The next area of trouble was the Sathi villages where the refusal of peasants to supply labour to the factory led to acts of violence on both sides. During this period the reduction of poppy cultivation had resulted in considerable loss of monetary income to peasants and they were all the more ready to revolt against the indigo planter who had been forcibly realising abwabs and compelling them to put at his disposal their carts at nominal rates. The planter managed to secure the conviction of a large number of peasants which made them unite for collective action. They organised themselves in groups, collected

41. *Report of the Committee on the Agrarian Condition in Champaran*, Vol. II, p 120; and Proceedings of Government of Bihar and Orissa, Judicial Department (Political), 1917, file No 52.

42. Proceedings of Government of Bihar and Orissa, Political Department (Special), 1917, file No 1571.

43. Proceedings of Government of Bengal, General Department (Miscellaneous) April 1911, Nos 5-6 A.

common funds to fight the cases instituted by and at the instance of the planter. Petitions were presented to the government complaining that harja was being realised although there were no agreements, illegal cesses were collected by the planter and his servants and the labourers and the cartmen were not paid fair wages.

The planter, in order to put pressure on peasants, shut off the supply of water for irrigation through the channels constructed by him. This led to violence. Some of the peasant leaders including Sheikh Gulab (who was the brain behind the agitation) were asked by the government to work as special constables but they refused to do so and were convicted under the police act. Thus the attempt to disrupt the unity of the peasants failed. On appeal the high court set aside the conviction. This was a great victory for the agitators which boosted up their morale.

In February-March 1908 the raiyats disputed the right of the factory to take possession of oats and other crops grown on the tinkathia land and cases were instituted against them. The agitation spread to the areas under the Bhasurari factory too, which held villages on thika from the Ramnagar raj and the peasants from those areas petitioned to the government against the factory and complained of the illegal exactions by the factory and its servants.[44]

The raiyats of the Sathi area petitioned to the lieutenant-governor and the latter directed local officers to make an inquiry into the affairs. The officers brought about a settlement between the two parties. It was agreed that whenever crops were grown on tinkathia land and seeds were supplied by the factory, it had the right to take the produce after the payment of the price mutually agreed upon; and such raiyats as did not wish to grow indigo or oats on tinkathia land should pay for irrigation from the channels constructed by the factory at the rate of Rs 3 per bigha instead of the previous nominal rate of 1½ annas and should also execute agreements to this effect. But

44. Swanzy, *Bihar and Orissa District Gazetteers: Champaran*, pp 83-84.

the execution of agreements was delayed on account of the outbreak of serious disturbances in 1908-9.

The most serious of the disturbances took place in the Bettiah subdivision towards the close of the year 1908. On the occasion of the Bettiah fair (which lasts for a month and begins some time in October), the leaders of the agitation got the opportunity of making contacts with peasants from other areas. Soon the agitation against indigo planters became widespread in the Bettiah subdivision. An outbreak of violence took place in the area under the Parsa factory and spread to the areas under the Mallahia, Bairia and Kuria factories. The agitation assumed such proportions that the government had to deploy military police to quell it. It instituted 57 criminal cases against the agitators and 277 agitators were convicted for acts of violence.

At this stage the agitation grew into a powerful mass movement covering an area of about 400 square miles, where peasants organised boycot of the planters, held meetings and threatened violence if planters persisted with sharahbeshi, tawan, hunda and harja.[45]

The government was compelled to appreciate the seriousness of the situation and to observe that the Bettiah riots had created conditions which called for a detailed inquiry into the affair. Only a full confidential inquiry "into the agrarian conditions" could suggest "whether there are any serious defects in the system on which business between factories and raiyats is conducted".[46]

In spite of stiff opposition from the police and a section of local officers on the ground that the inquiry would encourage further agitation, the government of Bengal entrusted W.R. Gourlay, then director of agriculture and one-time subdivisional officer of Bettiah, with the task of inquiry.

45. Proceedings of Government of Bengal, Revenue Department, confidential file No 19 of 1909.

46. *Ibid.*

Gourlay found that the troubles between planters and raiyats arose chiefly because of the assamiwar system of indigo cultivation. He concluded that "the disturbances were purely agrarian and economic and not political, and arose from the dissatisfaction of the tenants to the assamiwar (tinkathia) system of indigo cultivation in vogue. The disturbances might have broken out at any time and the wonder is that they did not break out sooner.... The real reason why the people broke out in sudden and violent opposition was that they were dissatisfied with the tinkathia system...."[47] Gourlay thus rejected the oft-repeated charge of the planters and a section of local offcials that all agitations against planters were engineered by outsiders and were politically motivated.

Gourlay wrote that "the tenant is not in a position to demand fair terms from the thikadar; he is the weaker of the two contracting parties".[48] This was because of the prevalent tenurial arrangement. Discussing why the agitation was mainly against indigo cultivation, he remarked: "The difference between the satta system as applied to indigo and as applied to other crops is this. The indigo crop is in itself valueless to the raiyat. He is dependent on his own particular landlord for a market, and the price is fixed beforehand arbitrarily at what is supposed to be fair rate compared with the return the raiyat can obtain by growing other crops on the same land. The price does not vary from year to year and the raiyat has no direct means of ascertaining whether the contract has turned out well or ill for him in any particular year. With other crops it is different. If the planter enters into a similar contract at a price fixed beforehand, the market price at the time when the crop is delivered is well-known to everyone, and the raiyat at once realises the effect of his bargain. Therefore the only safe and

47. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), August 1918, Nos 25-59; and April 1911, Nos 20-24 A.

48. Ibid.

fair method is for the thikadar to purchase the raiyats' crop at the existing market rate when the crop is delivered."[49]

Gourlay made certain recommendations to the government in 1909. They included an increase in the rate paid for indigo by 12.5 per cent over the rate fixed in 1878, the payment at full rate for all plots sown with indigo if indigo crop failed or half rate if peasants grew any other crop for themselves on such plots after the failure of indigo crop, a reduction in the proportion of landholding to be devoted to indigo cultivation by a raiyat from 3 kathas to 2 kathas per bigha, a reduction in the maximum period for which satta could be valid and restricting the satta only to indigo cultivation.

Though Gourlay's report tried to get to the heart of the trouble and analyse the causes of disturbances and suggest remedies, it ignored the realisation of abwab, tawan, sharahbeshi, harja, hunda, etc. It failed to throw light on the impact of synthetic dye on indigo cultivation in Champaran and the attempts by the planters to reduce the area under indigo and the problems arising therefrom. Thus Gourlay mainly dealt with problems which were going out of existence. This limited the relevance of his report to the situation in the district.

The government persuaded the planters to accept the recommendations of Gourlay. The planters agreed to limit sattas only to indigo cultivation, reduce the proportion of the raiyat's landholding to be devoted to indigo from 3 kathas to 2 kathas per bigha and fix Rs 12 per acre the minimum payment for indigo cultivation.[50] However the planters did not agree to abandon the right to select the plots of land on which indigo

49. Ibid. According to P. C. Roy Chaudhury Gourlay had sent along with his report two steel trunks saying that they were his best evidence. The two trunks were full of clods of earth containing both paddy and indigo seeds which indicated that peasants were forced to sow indigo after they had sown paddy. See Roy Chaudhury, *Bihar District Gazetteers: Champaran,* p 86n.

50. Proceedings of Government of Bengal, Revenue Department (Land Revenue) August 1918, Nos. 25-59; and June 1910, Nos 31-47 A.

was to be grown or to reduce the maximum period of the satta to three years. [51]

These measures were temporary palliatives and failed to remove the root cause of the trouble. The root cause was the claim of the planters to compel raiyats to grow indigo on a definite portion of their holdings selected by him and on terms and conditions dictated by him, to realise damages and enhance rents whenever he wanted to give up the indigo business. Consequently it was not long before fresh manifestations of discontent showed up and proved that the steps taken by the planters at the instance of the government by no means satisfied the peasants.

Though there were no violent incidents during the following three years, dissatisfaction continued and peasants maintained the position of confrontation with planters. Peasants went on petitioning to the authorities and represented their case even to king George V when he passed through the district on his way to Nepal in December 1911. They also took recourse to press to mobilise public opinion. Towards the end of 1912 a series of articles dealing with the indigo affair of Champaran and condemning the oppression by planters appeared in the Patna daily *The Bihari*. The paper demanded the publication of Gourlay's report and the release of agitators jailed in connection with the Bettiah riots of 1908. The other prominent papers to publish articles and dispatches were *Pratap* of Kanpur and *Abhyuday* of Allahabad.[52]

51. Ibid.

52. *Pratap*, Kanpur, 29 November and 13 December 1914 and 4 January 1915. *Pratap* distributed leaflets containing peasants' demands and exposing the oppressive policies of the planters. One of the leaflets was entitled 'Champaran Mein Andher' (Hindi). The daily *Bharat Mitra* of Calcutta, with its issue dated 19 December 1914, distributed a leaflet containing specific allegations of very serious acts of oppression committed by some indigo planters and their servants. This leaflet entitled 'Oppression in Champaran' was based on one of the *Pratap* leaflets. *Bharat Mitra* requested the government to hold an independent public inquiry. Also see: Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), February 1915, Nos 45-53 A; Proceedings of Government of Bihar and Orissa, Political Department (Special) File No 1217 of 1916.

The separation of Bihar from Bengal in December 1911 and the establishment of a legislative council for the newly-created province of Bihar and Orissa gave a forum to the protagonists of the peasants' cause to ventilate their grievances and demand a thorough probe by a committee. But the government rejected the demand saying that it would decide its attitude to the question after the report of the revisional survey and settlement operations was submitted. Its plea was that the work of the revisional survey and settlement might be hampered if an inquiry was ordered before its completion.[53]

The agitation had by that time become a live political issue throughout the province, so much so that the provincial political conference passed resolutions at its Patna and Chapra sessions in support of the agitation.[54]

53. Braj Kishore Prasad, a prominent lawyer of his time, asked a number of questions in the Bihar and Orissa legislative council. On 7 April 1915 he moved a resolution demanding an inquiry committee to go into the causes of the strained relations between the planters and raiyats of Champaran. The motion was as follows: "That this council recommends to the lieutenant-governor-in-council that a committee of qualified officials and nonofficials be appointed to make an immediate and searching inquiry into the causes of the strained relations existing between the planters and raiyats in the district of Champaran and to suggest remedies therefor." He alleged that documents were forcibly taken from raiyats to effect the realisation of sharahbeshi, tawan, hunda, and harja, and during the years 1913 and 1914, 17 subregistry offices were opened near the factories to facilitate the work. During this period 30,710 such documents were registered.

The motion was lost because it could get only 4 votes for and 27 against. Big zamindars of Bihar, who were members of the council, voted against it. Among them were the zamindars of Darbhanga and Banaili. Braj Kishore Prasad was ridiculed by planter members of the council. Filigate, secretary of the Bihar Planters Association, said: "It seems to me that the hon'ble mover might aptly be called the Don Quixote of North Bihar and failing a windmill, he runs a tilt against the planter." See: Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), December 1915, Nos 22-23 A.

54. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), March 1913, Nos 9-12 A.

Meanwhile the peasants of Champaran continued submitting petitions to the authorities. In 1913 the chief secretary of the government of Bihar and Orissa admitted the receipt of a large number of petitions and memorials.[55] On account of mounting pressure from peasants the government deputed J.A. Sweeney, the settlement officer, to look into the complaints of the raiyats. He first inquired into the complaints against nonindigo planters and came to the conclusion that they were largely well-founded. In his report in June 1915 he recommended the immediate abolition of abwabs levied by them. He urged the government to issue an immediate order "prohibiting the levy of anything beyond the rent recorded by the local officers as legally payable and making all future leases granted by the Bettiah raj subject to cancellation if this order was disobeyed".[56]

As the revisional survey and settlement operations were going on, vigorous attempts were being made by planters holding mukarrari tenures to raise rents as a result of sharahbeshi agreements registered in the survey-settlement records. This attempt was opposed by raiyats tooth and nail. Consequently legal battles between the two parties started over the validity of sharahbeshi agreements and decision of the survey officials in a number of cases. Along with suits raiyats started organising protest meetings and demonstrations against planters. Planters filed a number of criminal cases on some pretext or the other in order to harass the raiyats. The situation had thus become quite explosive.

The collector informed the government on 16 February 1916: "The opposition to factories, especially on the indigo commutation question, is growing and is much deeper and more widespread than is generally known. It has not so far led to disturbances and I do not apprehend disturbances in the immediate present. At the same time the opposition is so real and so determined and accurate information of what is going on is so

55. Ibid.
56. Proceedings of Government of Bihar and Orissa, Political Department (Special), file No 1571 of 1917.

difficult to get that it is best to be prepared."[57] He also noted that raiyats had no faith in the settlement officials because of their admission of the validity of sharahbeshi agreements.

Despite the fact that the first world war had led to an increase in the demand for the natural dye, indigo planters had realised that it was a temporary phenomenon and in the long run indigo plantation had no future. They therefore continued with their attempts to reach agreements with raiyats regarding sharahbeshi, tawan, harja and hunda.

The complaints relating to indigo concerns were still in the process of investigation when Gandhi came to Champaran to lead the peasants.

In December 1916 the Indian National Congress held its annual session at Lucknow. A number of peasant leaders from Champaran attended this session. A resolution on the Champaran situation was moved and Gandhi was invited to Champaran. One of them, Raj Kumar Shukla, succeeded in persuading Gandhi to come to Champaran on 15 April 1917. The arrival of Gandhi was not liked by planters and local officials and they unsuccessfully tried to get him out of the district.[58]

On reaching Champaran Gandhi started his independent inquiry into the complaints of the peasants "to ascertain so far

57. Proceedings of Government of Bihar and Orissa, Political Department (Special) file No 1217 of 1916.

58. For details how Gandhi was persuaded to come to Champaran and take up the cause of the peasants, the difficulties encountered by him and his trial for defying the externment order, see: Bihar and Orissa Police Abstract of Intelligence for 1917; Proceedings of Government of Bihar and Orissa, Political Department (Special), file No 1571 of 1917; Champaran Collectorate Papers; Tirhut Commissioner's confidential file of 1917; Gandhi, *An Autobiography or the Story of My Experiments with Truth,* pp 245-59; Prasad, *Satyagrah in Champaran,* Kriplani, *Gandhi: His Life and Thought;* pp 51-76; Shukla, *Champaran aur Nil ke Dhabbe;* Tendulkar, *Gandhi in Champaran;* Roy Chaudhury, *Gandhi's First Struggle in India;* Tripathy, *Champaran ki Rashtriya Jagriti;* and Sinha, *Mere Samsmaran,* pp 10-20.

as is possible... the true position."[59] This instilled a new life in the agitation. He provided the leadership and guidance which unified and consolidated the peasant movement and it attracted the attention of the people from other provinces.

Seeing the momentum gathered by the peasant movement under Gandhi's leadership the government appointed a committee headed by F.G. Sly, commissioner, central provinces to inquire into the affair. Gandhi was made one of its members. On appointment of this committee on 10 June 1917 Gandhi stopped his own inquiry.

The committee, officially known as 'The committee on the Agrarian Condition in Champaran' (or The Champaran Agrarian inquiry Committee) submitted its report on 3 October 1917. It had the following terms of reference: "(1) to inquire into the relations between landlord and tenant in the Champaran district, including all disputes arising out of the manufacture and cultivation of indigo; (2) to examine the evidence on these subjects already available, supplementing it by such further inquiry, local and otherwise, as they may consider desirable; and (3) to report their conclusions to government, stating the measures they recommend in order to remove any abuses or grievances which they may find to exist."[60]

The committee came to the conclusion that the main reason for the trouble was the assamiwar system of indigo cultivation. This way "the growing of indigo is connected with a sense of obligation".[61]

The committee recommended the abolition of the assamiwar or tinkathia system because it was not only unpopular but also "inconsistent with the relations that should exist between landlord and tenant under modern condition"[62] and the growing of

59. Proceedings of Government of Bihar and Orissa, Political Department (Special), file No 1571 of 1917.

60. Ibid.

61. *Report of the Committee on the Agrarian Condition in Champaran,* Vol I, Ch II.

62. Ibid.

indigo should cease to be connected with any sense of obligation or any customary right.

Dealing with the price of the indigo crop paid to the growers, the committee found that it was not remunerative. The growers were not in a position to bragain because of the assamiwar system. Left to themselves they would have gone in for other crops which had been more paying. The growers did not get remmunerative price for indigo mainly because of the tenurial arrangement obtaining in the district since permanent settlement was introduced.

Though the price paid to indigo cultivators had doubled during the past fifty years, still it was not remunerative. There were certain aspects of pricing which caused discontent among the growers. First, the price usually remained unchanged for a long time. To illustrate, in 1869 after a period of friction and disturbance the price was raised from Rs 6-8-0 to Rs 9-0-0 per acre. In 1877 agitation forced the planters to increase it to Rs 11-5-0. Again after some agitation it was raised to Rs 12 in 1897 and to Rs 13 in 1910 as a result of Gourlay's report. If the rent of the holding on which indigo was grown was taken into account, the price came to about Rs 15-8-0 in 1910 since the average rate of rent was around Rs 2-8-0 per acre in the indigo-growing areas. As mentioned earlier, the rent of the indigo land was remitted by the planter concerned.

Thus the price for indigo crop did not increase for a long time even though the prices of other crops went on increasing. That is why even if the price of indigo crop was somewhat fair in the beginning, it became unremunerative with the passage of time. A bad aspect of the price fixation of indigo crop was that it was not allowed to vary with other prices and was not being determined by the market forces.[63]

63. Proceedings of Government of Bengal, Revenue Department (Land Revenue), April 1911, Nos 20-24 A. J. A. Sweeney, secretary, board of revenue wrote: "I am very far from being convinced that the rates are sufficient. Seeing (1) the rise in price of other crops; (2) that these are practically the rates of 1897 and as the rise in the price of food crops which has occurred during the last 20 years cannot be less than 25 per cent. Also the minima are in

Second, almost every increase in the price of indigo was brought about by peasant agitations and violence necessitating governmental intervention.

Third, the price was fixed on the area. It had thus no direct relationship with the outturn of the crop. Under this system there was lack of incentive to the cultivators to increase production and to devote their best attention and efforts to indigo. Besides the planter was to select the best portion of a raiyat's holding for indigo and employ his servants for supervision so that indigo land was properly cultivated and the crop was given due attention. Since the price did not vary with the outturn and the quality of the crop, the raiyat always tried to devote the worst portion of his holding to indigo and to adopt an attitude of indifference to indigo cultivation. This generated tension and conflict between the planter and raiyat. The selection of land for indigo and its supervision were done with the assistance of the lowpaid employees of the planter. These employees extorted money and other things like milk, vegetables, etc. from the raiyats for granting favours and if the raiyats refused to accede to their requests they were harassed. Obviously the selection of indigo land by planters interfered with peasants' freedom to allocate their holdings to different crops according to their choice.

The committee while recommending the abolition of assamiwar system did not disfavour the indigo cultivation as such but wanted that "it should be grown under fair and reasonable conditions".[64] The future system must have the following features: "(1) The tenant must be absolutely free to enter into the contract or to refrain from making it. (2) The particular plots to be devoted to indigo must be entirely at the option of the raiyat. (3) The price paid for indigo must be settled by voluntary agreement and entirely on a commercial basis. (4) The price must be fixed on the weight of the crop, but such

practice worked as rigid maxima." Proceedings of Government of Bihar and Orissa, Board of Revenue (Wards), file No 20-87 of 1917.

64. *Report of the Committee on the Agrarian Condition in Champaran,* Vol I, Ch II.

weight may, if agreed, be settled by appraisement ... by a selected panch instead of by actual weighment. (5) The contract must be for an emphatically short period not exceeding three years."[65]

The most vexed question before the committee was the commutation of indigo obligation. As already mentioned, in the mukarrari areas planters resorted to sharahbeshi and in thikadari area they realised tawan and harja. They settled their zirat land with raiyats on hunda.[66]

Let us first say something about sharahbeshi. The Bengal tenancy act of 1885 had provided for the enhancement of rent under certain circumstances. A zamindar could enhance the rent in two ways—by an agreement with the raiyat and by a suit in the court. In the first case the law provided that the contract between a zamindar and a raiyat must be a written and registered one and the enhancement agreed upon should in no case exceed 2 annas in the rupee (i.e. 12.5 per cent) and the new rent was not to be altered for the following 15 years. In the second case enhancement could be granted by a court of law if a zamindar successfully proved that the existing rent was less than what other occupancy raiyats in the neighbourhood paid for similar type of land or that there was a rise in the average local prices of staple food crops during the last 10 years or lastly that there was an increase in the productivity of the land on account of the improvement made by the zamindar or by fluvial action.[67]

When indigo cultivation ceased to be profitable, the planters took advantage of the above provisions of the Bengal tenancy act. In mukarrari areas they proposed to the raiyats that they

65. Ibid.

66. There were exceptions too. For instance the Rajpur factory realised tawan in all its villages. The Pipra factory while enhancing rents in mukarrari villages, continued assamiwar indigo-cultivation in thikadari villages. The Lalsaraya factory adopted none of these methods but merely assessed rent on excess areas discovered in the possession of raiyats at the last settlement, which it had agreed to leave unassessed so long as they grew indigo.

67. Rampini and Kerr, *op cit*, pp 118-38.

would be freed from obligation if they agreed to pay higher rent for their land. Planters contended that the raiyats in the mukarrari areas were under an obligation to grow indigo on a specific portion of their holding and the planters as mukarraridars had refrained from increasing rent so long as raiyats carried out the obligation. Thus the planters' contention was that tinkathia was an incidence of tenancy and they were perfectly justified in commuting this obligation by enhancing rent if the raiyats agreed.[68]

The government opened temporary subregistry offices near indigo factories in order to facilitate the execution of sharahbeshi agreements.

In 1915-16, when the records of the revisional survey and settlement were being attested in the Motihari subdivision, trouble arose over the question of sharahbeshi. Raiyats from six villages under the Turkaulia factory objected to sharahbeshi and refused to enter into any agreement with the planter. The latter argued that they had agreed to grow indigo as far back as 1876; the tenancy law then in force was act VIII of 1869 and under that act a raiyat was to hold land under a patta. The patta in those villages included not merely rates of rent and other details but also the obligation to grow indigo. At that time every tenant executed a kabuliyat which was for a specific number of years only. But even if the patta was not renewed on the expiry of the term, the raiyat merely 'held over' on the same conditions. Hence the obligation to grow indigo was an inci-

68. By-law No 22 of the Bihar Planters' Association read: "No raiyat who cultivates 3 cottahs of indigo for each bigha of his holding shall have his rent enhanced." This by-law was adopted at the instance of the government of Bengal in 1877-78. The object of the intervention by government was to prevent planters from neutralising the increase in the price paid for indigo, which they had agreed to give by raising rent. This was later interpreted to mean that the government recognised the right of planters to insist on indigo being grown on 3/20ths, subsequently 2/20ths, of each raiyat's holding and so long as he grew indigo his rent was not increased. See: Proceedings of Government of Bengal, Revenue Department (Land Revenue), June 1910, No 31-47 A; and Tirhut commisssioner's file No 12 of 1917.

dence of tenancy and it continued even after the Bengal tenancy act of 1885 came into force.[69]

However the raiyats contested this claim. They argued that they were under no obligation to grow tinkathia indigo. With the Bengal tenancy act of 1885 coming into force, it was not legal to claim tinkathia indigo as an incidence of tenancy. According to section 23 of this act, an occupancy raiyat might use the land in any manner that did not materially impair its value or render it unfit for the purpose of the tenancy and section 178 (3) (b) declared that no contract made after 15 July 1880 could take away or limit the right of an occupancy raiyat to so use the land. A condition in their pattas that unless they agreed to sow indigo or to renew leases agreeing to grow that crop, their occupancy right would cease to exist was thus null and void. Hence rent could not be enhanced on the plea of the abrogation of an agreement that was itself invalid.[70]

Following the Turkaulia raiyats, tenants in other areas also started resisting sharahbeshi. It may be noted that only in villages under five factories—Turkaulia, Motihari, Pipra, Jallaha and Sirni—tinkathia was recorded as an incidence of tenancy. All these factories held contiguous areas and therefore the resistance by raiyats was more organised and cohesive. They opposed sharahbeshi and challenged its validity on various other grounds also. Firstly, the tinkathia indigo was not recorded as an incidence of tenancy during the survey and settlement operations of 1892-99. In fact the claim of the Murla factory that tinkathia indigo was an incidence of tenancy was rejected

69. *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, pp 2, 19, 20, 43, 56-57, 111-114; *Annual Report on Survey and Settlement Operations in Champaran* for the year ending 30 September 1915, pp 16-17; Proceedings of Government of Bihar and Orissa, Political Department (Special), 1917, file No 1571; Tirhut commissoner's file No 12 of 1917; and Proceedings of Government of Bihar and Orissa, Revenue Department (Deposit), No 12 of January 1918.

70. *Annual Report on Survey and Settlement Operations in Champaran* for the year ending 30 September 1915, pp 16-17; and Proceedings of Government of Bihar and Orissa, Political Department (Special), 1917, file No 1571.

by the settlement officer with whom the higher authorities including the lieutenant-governor agreed.[71] Secondly, the Bettiah raj, as the superior landlord, never recognised the validity of the planters' claim. Applications for rent-enhancement were filed by the raj during the revisional survey and settlement operations (1913-19) even in cases in which the raiyats were still liable to grow indigo and in cases in which they had purchased their freedom from this obligation.[72] Thirdly, raiyats asserted that they were not willing to execute sharahbeshi agreements. It was the other party which wanted to get rid of indigo cultivation because it was no longer profitable to manufacture the natural dye from indigo. It was therefore unjust to ask the raiyats to pay enhanced rent as the price of relief from a burden under which they had long suffered. The planters were compelled by circumstances to stop indigo cultivation even if the raiyats did not desire to do so.

Planters used violence and coercion to get the sharahbeshi agreements signed. Not only this, in almost all the concerns there was a regular istifa bandobast form which recalcitrant raiyats were made to sign and thus surrender their holdings which were settled with others at enhanced rent.[73]

Planters advanced another argument in support of sharahbeshi. According to them when tenants took up new land in any sparsely-populated tract rent was usually low. This happened in Champaran where poor people squeezed out from other districts came to settle and lower rent was fixed. However, with the passage of time conditions changed and a rise in the rent rate could be easily borne not only on the ground of a rise in

71. Proceedings of Government of Bengal, Revenue Department (Land Revenue), March 1897, Nos 164-78 A; Proceedings of Government of Bihar and Orissa, Judicial Department (Political), 1917, No 52.

72. Tirhut commissioner's file No 12 of 1917.

73. Proceedings of Government of Bihar and Orissa, Revenue Department (Deposit) January 1918, No 12 A; *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, p 92; Proceedings of Government of Bihar and Orissa, Political Department (Special), 1917, file No 1571; *Proceedings of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa for 1913,* pp 40-43.

prices but also in relation to increased productivity. The Bengal tenancy act was passed mainly with reference to Bengal proper, a province that was fully settled, and it was based on the presumption that existing rent was fair and equitable. The presumption however never applied to Champaran. Added to this was the fact that rent had not been enhanced even within the limits permissible under the act owing to the obligation to grow indigo.[74]

This argument, even if it were taken to be true, did not apply to the southern and eastern parts of the district because they were not newly-populated areas and immigration into these parts was not on any significant scale. Whatever the planters said was true to a great extent for the northern and western parts but sharahbeshi question did not concern those parts.

In all cases the sharahbeshi exceeded 2 annas in the rupee which was fixed as the limit of the rent enhancement by section 29, clause (b) of the Bengal tenancy act but the planters contended that under the third proviso to this section the limit did not apply when the tenants had held land at a specially low rate of rent in consideration of a particular crop for the convenience of the landlord. Since they had kept the rent low because the tenants had agreed to grow indigo, they were perfectly justified in taking advantage of the proviso third and in raising the rent by more than 2 annas in the rupee.[75]

The sharahbeshi varied from 19 annas to 32 annas per bigha. As a percentage of the existing rent the enhancement varied from

74. Proceedings of Government of Bihar and Orissa, Revenue Department, confidential file No. Ag. Com. 28 of 1917.

75. According to B. B. Misra, the proviso (iii) to section 29 of the Bengal tenancy act was the result of the pressure of the planters and zamindars. See: Misra, (ed) *Select Documents on Mahatma Gandhi's Movement in Champaran (1917-18)* p 13.

In the opinion of J. A. Sweeney, survey-settlement officer, the proviso (iii) intended to remove the two anna limit where raiyats had held their land at a 'specially low rate of rent' in consideration of cultivating a particular crop and were freed from that obligation. But there was no definition of 'at a specially low rent', hence there was ample room for arbitrary increase of rent. Besides, there must

50 to 60 per cent and in some cases the enhancement was as high as 100 per cent.[76]

In a number of cases the Jallaha and Turkaulia factories adopted a different tactics. The enhancement was brought about by alteration and resettlement of holdings at new rent. No registration of any agreements in these cases were needed between the planter and the raiyats. Wherever members of a joint family held parts of landholdings separately, formal partitions were effected among them by the planter. What actually happened was that the holdings were taken back and settled afresh with some alteration in their area either by subtraction or addition to give the impression that resettled holdings were new ones. In this process rent was enhanced. However this enhancement was disallowed by the survey-settlement officer.[77]

As has already been mentioned when the committee was appointed the legality of sharahbeshi was being contested. The district judge had held sharahbeshi valid only in cases where the liability to cultivate indigo was proved to be an incidence of tenancy. This was the case only in half of the suits which had come before him in appeal against the

have been some limit to the enhancement of such specially low rent. See: Sweeney, op cit, pp 60-61.

J. A. Sweeney deposed before the committee on the agrarian condition in Champaran: "... the law in section 29, proviso (iii), Bengal tenancy act, as it stands, is vague, difficult to administer, and capable of unlimited exploitation.... It appears that, under the existing law, there can attach to the tenancy of an occupancy raiyat, certainly if it originated before the bengal tenancy act, and probably if it originated thereafter, an incident or condition whereby the tenant is obliged to grow a special crop for his landlord. This has the possible consequences of making the raiyat a serf in his own land." See: *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, p 4.

76. *Proceedings of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa* for 1917, pp 296-99; Proceedings of Government of Bihar and Orissa, Revenue Department (Deposit) January 1918, No 12 A; Proceedings of Government of Bihar and Orissa, Revenue Department, confidential file No. Ag Com 28 of 1917; and *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, pp 2, 16-17, 23, 116-17.

77. Sweeney, final Report on Champaran, p 65.

judgements of the munsif. Appeals were then preferred to the high court against the judgment of the district judge and, before the high court could dispose of the appeals, the committee went into the matter.[78]

The committee brought about an agreement between the planters and the raiyats according to which: "(1) The enhancement effected by sharahbeshi shall be reduced with effect from the commencement of the fasli year 1325 (October 1917) by 20 per cent in the case of Turkaulia limited, and by 26 per cent in the case of Motihari Limited and the Pipra concern, the rents for year prior to 1325 fasli remaining unchanged at the survey-settlement rates. (2) The existing indigo obligation recorded in the survey records shall be abolished from the commencement of the fasli year 1325 and in lieu the enhanced rent (sharahbeshi) shall be fixed at the rate at which it would have stood had commutation taken place together with the others less the reduction now agreed upon."[79]

As regards the two small concerns, viz Jallaha and Sirni which were not parties to the agreement, the committee recommended that the reduction should be by 26 per cent on the same conditions as in the case of the Motihari and the Pipra factories.[80]

The next issue before the committee was tawan. As has already been mentioned the planters in the thikadari areas demanded tawan from tenants in consideration of their release from the obligation to grow indigo for the remaining period of the satta. Most of the planters did not hold that there was any incidence of tenancy or obligation on a tenant in thikadari areas to grow indigo apart from the satta. Planters contended that tawan payments were voluntary because the tenants were eager to give up indigo cultivation. and the amount of tawan in each case was mutually agreed upon and was satisfactory to both the parties.

However there was no reasonable answer to the question why

78. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue) August 1918, Nos 25-59.

79. *Report of the Committee on the Agrarian Condition in Champaran,* Vol I, Ch II.

80. Ibid.

tawan should be paid by one of the party—the tenants, when both the parties desired the termination of the contract to grow indigo. It was an open secret that in all cases the sattas were being terminated at the instance of the planters.[81]

The planters who held mukarrari tenures claimed that the obligation to grow indigo was an incidence of tenancy in thikadari areas too. However they did not resort to sharahbeshi in thikadari areas because, they argued, the benefit would go to the superior landlord at the time of the next renewal of the leases but the benefits out of commutation of indigo obligation could be claimed only by them. Thus they were competent to commute the incidence and take the resulting benefit.

This argument would have meant that thikadar, when settling land with raiyat, could create an incidence of tenancy, the benefits of which could be claimed only by him. No legal sanction ever existed for this act of a planter and none of the planters could produce any legal sanction to support their contention before the committee. The superior landlord, i.e. the Bettiah raj, never claimed tinkathia as an incidence of tenancy. It always held that the duty of a thikadar was only to collect rent from tenants and pay it to the superior landlord by deducting his own commission or the margin in the cases where its share was a fixed lump sum. No thikadar had any right to create an incidence of tenancy. Hence tawan-collection from the raiyats was not justified at all. If it were said that the tenant was under an obligation to grow indigo as one of the conditions on which he held his land, it was clear that the payment was in the nature of capitalised rent and, if so, the interests of the superior landlord were prejudiced.

The tawan payment was nowhere according to the length of the time for which the satta still had to run. The rate of tawan varied from Rs 40 to Rs 100 per bigha of indigo. Amounts paid by tenants were more than the 20 year rental in almost all the cases. The tawan was paid in several ways : (a) In a few cases tenants had ready money with them and they paid

81. Proceedings of Government of India, Home Department (Political), February 1913, No 84 A.

in cash. (b) In some cases they executed handnotes acknowledging the receipt of a taccavi loan corresponding to the amount of the tawan. This loan carried interest at the rate of 12 per cent per annum. (c) In some cases tenants paid partly as in (a) and partly as in (b). (d) In some other cases tenants borrowed money from professional money lenders at 24 per cent per annum interest to pay the tawan (e) In the remaining cases raiyats raised money by mortgaging a portion of their holding or selling their cattle and ornaments.

There is no document or study to show the total amount of money realised by the planters on account of tawan. No information is available to indicate the effects of the various ways of tawan payment. However it can be safely said that, barring a few who had ready money to pay, the tenants were not actually freed. By executing handnotes a number of them remained subjugated to the planters. Hence their freedom was illusory and the planters received not only damages to make up their losses but created a source of regular income in the form of interest payment by raiyats. Those who borrowed from professional moneylenders landed themselves in a situation where the door was opened for their exploitation and the mortgage of their holdings in favour of the moneylenders. Those who were forced to sell their stocks became incapable of carrying on agricultural operations and thus their income was bound to be adversely affected.

The committee held that the realisation of tawan was prejudicial to the interests of the tenants and the tawan payment was not in any way voluntary. To quote: "There is no doubt, in our opinion, that what the raiyat paid for was a final release from the obligation to grow indigo and that he would not have voluntarily paid such large sums merely for release from the unexpired period of the satta."[82] But no thikadar could give any guarantee for the nonenforcement of indigo obligation beyond the terms of his lease.

Terming the tawan realisation wholly unjustified the com-

82. *Report of the Committee on the Agrarian Condition in Champaran,* Vol I, Cb II.

mittee observed: "It seems to us therefore that whichever theory be adopted the taking of tawan was not justified in temporarily-leased villages. If it be said that the payment was for the termination of a contract, the answer is that that is not what the tenant desired to buy nor is it the most important thing the factory sold, final release from indigo. If it is said that the tenant was under an obligation to grow indigo as one of the conditions on which he held his land, it is evident that the payment was of the nature of capitalised rent and if so the interests of the superior landlord prejudiced. Since the taking of tawan was within the knowledge of the Bettiah estate, which took no action to stop it, we consider that the estate itself must accept some share of the responsibility."[83]

It recommended "that where tawan has been taken in temporarily leased villages, the Bettiah estate should make it a condition of renewal of the temporary leases that 25 per cent of the tawan collection should be paid to the estate, and that the estate should refund it to the tenants concerned. Moreover since tawan must be regarded at least in part as capitalised rent we recommend that the Bettiah estate should for a period of seven years forgo any enhancement, which may be granted in the settlement courts on the ground of rise in prices, of the rent of a tenant who has paid tawan...in a few cases where villages had very recently come into lease to a factory the management procured the execution of sattas by the raiyats and, after growing indigo for one or two years, commuted the indigo rights by taking tawan. Action of this kind seems to us totally indefensible and the Bettiah estate is bound in the interests of its tenants to interfere. We recommend that in such cases the court of wards should refuse to renew the temporary leases of the concern unless the whole of the tawan is refunded."[84]

Some of the planters tried to settle their zirat lands temporarily on the tenants on payment of a fixed sum of money regularly. This system was known as hunda and it was resorted to on a large scale in Dhokraha, Loheria and Hardia concerns.

83. Ibid.
84. Ibid.

In Loheria it was found that on an average Rs 24-5-3 per bigha was being realised as hunda in the case of 70 tenancies. The maximum rate charged was Rs 91-7-3 and the minimum rate was Rs 7-8-0 per bigha. This variation was due to the quality of land as well as the density of the population in the village concerned. Under the Dhokraha factory the hunda settlements were a substitute for thinkathia, two kathas of zirat land was settled with a tenant for every three kathas of indigo previously grown by him. The total amount of zirat land settled on him depended on his own holding. In 50 villages it came on an average to 1.5 kathas per bigha of land held by a tenant.

The argument that the zirat land was settled on unfavourable terms seems to be true as the tenants were ready to surrender it to planters. The settlements were unfavourable to tenants because of their temporary nature and high rates of rent.[85]

On Gandhi's intervention the planters agreed to take back the zirat lands settled on unwilling raiyats and this issue did not merit any recommendation by the committee.

Another important issue which came up was the realisation of abwab and dastoori. In the northwestern part of the district certain sums regularly collected by planters who held thika tenures from raiyats in addition to rent. These collections were known as abwab. The amount so collected from a raiyat usually came to 60 to 70 per cent of the rent due from him.[86]

A reference has already been made to amlas and their powers under the assamiwar system of indigo cultivation. Amlas realised money or gratification from the raiyats for showing favours or making threats of harassment. Usually they deducted their share at the time of the distribution of advances. They took gratification in both cash and kind whenever they had to deal with raiyats for alleged breach of satta terms. These deductions and gratification went by the name of dastoori. Such extortions were certainly winked at, if not openly recognised by the planters, as the legitimate perquisites of the amlas.

85. Proceedings of Government of Bihar and Orissa, Political Department (Special), file No 1571 of 1917.

86. *Report of the Committee on the Agrarian Condition in Champaran*, Vol I, Ch II.

A distinction has already been made between indigo and nonindigo planters. Nonindigo planters were mostly temporary tenureholders under the Bettiah and Ramnagar zamindaris and their main source of income was the commission for rent-collection. The tendency of the zamindars was to lease the villages to the highest bidders without any attempt to provide a reasonable margin to thikadars for their collection and management expenses and for their remuneration. The Bettiah raj allowed a margin of 10 per cent of the raiyati rental to thikadars which was barely sufficient to cover the expenses on the collection of rent and the management of zamindari.

But the Ramnagar raj did not bother to provide even 10 per cent of the raiyati rental as commission to thikadars. In a number of cases it did not leave any margin at all. The survey-settlement officer for revisional settlement found that for 24 thikadari villages of the Ramnagar raj, the raiyati rental was Rs 21,237 while the thikadari rental was Rs 23,612, i.e. the thikadar collected Rs 2375 less than the amount paid to the raj. He had to make up the loss and earn an income for himself from other sources. He had 310 acres of zirat land and derived on an average a net income of Rs 20 per acre. He exacted Rs 12,664 as abwab which increased his total income, legal or otherwise, to Rs 16,649 or about 78 per cent of the total raiyati rental.[87]

The Madhubani thikadar was allowed only Rs 5000 (i.e. 10 per cent of the raiyati rental) per annum as the legal margin by the Bettiah raj, but he realised Rs 13,000 as abwab. The Sikta thikadar had Rs 2600 as his legal margin and Rs 4500 as income from zirat but his income from abwab was Rs 9500. The legal margin for the Hardia thikadar was only Rs 2800 while his income from other sources including abwab was Rs 19,500.[88]

It is obvious that the insufficiency of the legal margin to thikadars was the main cause for the levy of abwab. It is interesting to note that the cost of rent-collection and management of the zamindari was more than 15 per cent in the kham villages of the Bettiah raj. Hence the responsibility for the

87. Proceedings of Government of Bihar and Orissa, Department of Revenue (Deposit), January 1918, No 12 A.

88. Ibid.

levy of abwab was primarily on the shoulders of zamindars who encouraged the system of leasing out parts of their zamindaris to the highest bidders.

The imposition of abwab was forbidden by section 54 of the decennial settlement regulation VIII which laid down clearly that all landlords should consolidate the abwab and rent into one sum before a fixed date and made it a penal offence to impose any new abwab. This prohibition was again enforced by section 10 of act X of 1859, and by section 74 of the Bengal tenancy act of 1885.

For many years after permanent settlement no abwab were realised in vallges under the Bettiah raj but as the raj went on asking for more money from thikadars without any consideration to the raiyati rental, the margin of income left to the thikadars was reduced. Thikadars, in order to augment their income, levied abwab of various kinds on their raiyats. However the Bettiah raj itself never realised any abwab from its tenants in villages under its direct management. At the same time it did not take any step to stop the realisation of abwab in thikadari villages by reforming the thikadari system.

The situation in the Ramnagar raj was quite different. The raj itself levied abwab in the villages under its direct management and under deorhi mahal (i.e. the private estate of the rani). On an average a tenant had to pay abwab amounting to 75 to 120 per cent of his rent. [89] The raj did not usually leave any margin of income to thikadars; on the contrary it realised from them more than the raiyati rental. They were thus encouraged to explore other sources of income and the levy of abwab was one such.Not only this, the raj itself realised abwab from leaseholders, in a way directly asking them to levy abwab on raiyats.

The abwab levied by leaseholders had many names. Most of them were of old standing. In some cases old abwab were amalgamated and enhanced. The consolidated levy in these cases was known as salami or painkharcha. In the villages under the Bhasurari planter the levy was called tinkathia.

89. *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, pp 10-11.

Certain old and established abwab were realised by amlas and they formed part of their dastoori. They were dowatpuja, phagua, farkhawan, etc.

Important abwab and the rates at which they were levied were as follows :

Painkharcha	:	at Rs 3 per bigha (sometimes less)
Bandhbehari	:	1 anna per rupee of rent
Hissabana	:	—do—
Dasahara	:	at ½ anna per rupee of rent
Tahrir	:	—do—

In addition to them an inheritance tax, bapahi-putahi, was levived on heritable raiyati holdings and marwach, a tax of Rs 1-4-0 on the marriage of a girl in the family of the tenant was realised. Other abwab such as tekbhenti, gurbhenti, batchapi, jangla, ismnavisi, dewan dastoori, uprohiti, ghorahi, bhaisahi (when a buffalo or horse of the thikadar became old it was sold by lottery and Re 1 was realised from each tenant), bungalahi (for the construction of a bungalow), haktalbana, etc., were irregular and occasional levies.[90]

Thikadars advanced following reasons for the realisation of abwab: (a) abwab were customary; (b) leaseholders held the villages on unremunerative terms; and (c) as rents were low abwab were voluntarily paid by raiyats who did not like their rents to be increased.

The survey-settlement officer during 1913-19 rejected these arguments and with regard to (a) he pointed out that no alleged custom could prevail over the express provisions of the law. As regards (b) he held that it was ridiculous to say that the tenants should be made to provide for the middlemen from whom they derived no benefits. Argument (c) was an equally unjustified

90. Proceedings of Government of India, Home Department (Political), February 1918, No 84 A; Proceedings of Government of Bihar and Orissa, Revenue Department (Deposit), January 1918, No 12 A.

excuse. Nobody would pay willingly what he knew he was not legally bound to pay.[91]

No receipt was given for the payment of abwab, though the first instalment of payment of rent during the year was credited to the abwab account. This showed that the thikadars were afraid of acknowledging abwab payment.

The painkharcha (or the socalled irrigation cess) was the most controversial abwab. In spite of its name it had in most of the villages no connection with any irrigation work provided or maintained at the expense of thikadars. In fact, as already mentioned, it was an amalgamation of a number of old abwab.

The demand by the Sathi planter for painkharcha as genuine irrigation cess has already been touched upon. Briefly the history of the demand was as follows. The planter earlier used to grow indigo. When indigo cultivation ceased to be profitable around the year 1907-8, he took registered agreements from the raiyats that they would pay Rs 3 per bigha of their holdings as irrigation cess. The planter had constructed pains (channels) for irrigation of the raiyat's land though the system of pains was not an elaborate one as claimed by the planter. The system of pains had a great limitation in the sense that they depended on damming of rivers and it was impossible to dam the rivers in the rainy season. Consequently the pains were of no use for winter paddy, the chief crop of the area. Not only this but the painkharcha was collected from even those villages which had nothing to do with the pains. Thus the painkharcha had no relation with the benefits accruing to the raiyats. It may be said that it was just a matter of chance that the painkharcha in some of the villages under the Sathi planter had something to do with irrigation charges.

While the thikadars made every effort to realise abwab (illegal cesses), they did not bother to collect legal road cess which was meant for expenditure on primary education. Consequently the district board had meagre funds at its disposal and primary education suffered. Besides it was officially admiitted that the raiyats, after paying abwab and rent, were left with little income and

91. Tirhut commissioner's file No 12 of 1917.

they were unable to pay canal irrigation charges and consequently they did not get water from the government canal—the Tribeni canal. Thus agricultural production as also the revenue of the irrigation department were adversely affected.[92]

The committee went into the question of the realisation of abwab and dastoori and regretted that the provisions of various laws making their realisation illegal had not been enforced. It recommended: "(1) Government should issue a proclamation informing all landlords and raiyats that both abwab and dastoori taken by landlord's servants are illegal and must be stopped; (2) the court of wards should take steps to enforce these prohibitions in the estate under its charge; and (3) the special legislation recommended by us for the Champaran district should contain a clause providing that the collector... may inquire into and punish the exaction by a landlord from a tenant of any sum in excess of the rent payable, his decision being subject to the ordinary appeal. The penalty might approximately be fixed at a fine not exceeding Rs 50 or double the amount of the exaction, whichever is greater."[93]

The committee pinpointed the existing thikadari system as the root cause of abwab and dastoori. It opposed the extension of thika tenures without introducing the reforms suggested by it. If thika tenures were to be renewed, the past conduct of the thikadar should be scrutinised and the tenure should be granted for a moderately long period, subject to cancellation for breach of any of the conditions. Thikadars must be allowed sufficient amount of commission to cover the cost of collection of rent and irrecoverable arrears, besides providing them with a reasonable remuneration to minimise the possibility of illegal extortions from tenants.[94]

So far as the fee on the transfer of occupancy holdings by inheritance was concerned it made it clear that it was illegal, as the right of inheritance was granted by section 26 of the Bengal

92. Tirhut commissioner's file No 12 of 1917.

93. *Report of the Committee on the Agrarian Condition in Champaran,* Vol I, Ch III.

94. Ibid.

tenancy act of 1885, and no custom existed in derogation of that right.[95]

There were other issues also involved in the agitation against the planters, both indigo and the nonindigo ones. They included the dispute about the right to hides, right to trees, right to the use of waste lands, the rates of wages and cart sattas, unpaid forcd labour, etc. These issues turned other sections of rural society, not connected with indigo cultivation in any direct manner, against planters and led to a broadening of the base of the agitation.

According to an old custom chamars (cobblers) took the hides of the dead animals of the village and in return provided the village people with shoes at concessional rates and their women performed the functions of midwives.

As the prices of hides rose thikadars disputed the right of chamars. They prohibited the chamars from collecting the hides until they paid Re 1 to 2 per village to the thikadar concerned. Thikadars contended that the Bettiah raj had leased to them the right to hides under the charsa mahal (hides mahal) and they were absolutely right in demanding fees from chamars for authorising them to take the hides.

The chamars refused to pay any fee to thikadars and consequently they were stopped from taking the hides. The chamars in their turn stopped the supply of shoes at concessional rates to the village people and their womenfolk refused to serve as midwives. The latter created problems for the village people because hospitals were few and far between and trained midwives were almost nonexistent. So not only the chamars but the entire village community turned against thikadars on this issue.

The committee regarded the hides as the property of the owner of the dead animal and he was entitled to dispose of the hides as he wishes either by sale or in exchange for services.[96]

The Bettiah raj then abandoned its claim to hides and instructed its thikadars to act accordingly. However a tax was

95. Ibid.
96. Ibid.

levied on the chamars for the use of waste lands for skinning dead animals and leaving the carcasses thereon. The tax was fixed at 4 annas per 100 rupees of the raiyati rental of the village.[97] This resulted in disputes and the raj went to the court which declared that the tax imposed by the raj was illegal.[98]

Widespread discontent was manifest among tenants in respect of the right to trees standing on their holdings. The survey-settlement operations (during 1892-99 and 1913-19) had held that trees growing on tenants' holdings could not be felled without the consent of the landlord and half the value of timber of dead or felled trees belonged to him. European planters, exercising zamindari rights, claimed the right to trees. Tenants contested the claim and argued that trees like any other crops were grown over their holdings with their labour and zamindars could not have any claim to them so long as tenants paid their rent regularly.

The committee recommended that in the Bettiah raj tenants should be given the option of purchasing the landlord's share (full share in the selfgrown trees and half share in the trees grown with the efforts of raiyats), the valuation to be made on fair principles and in case of disputes referred to assessors.[99]

In survey-settlement operations all the waste lands in a village were recorded as exclusively belonging to zamindars. Only some plots used for communal purposes such as burial and cremation grounds, schools, sites for threshing floors and the like were kept under common ownership and were called 'gair mazrua am'. Planters as tenureholders reclaimed the waste lands not used for communal purposes for agriculture or enclosed them for their own use. There was little doubt that a village benefited if some land was left for pasture and exercise of the

97. Basu, *The Consecutive Account of the Bettiah Estate*, p 31.

98. Proceedings of Government of Bihar and Orissa, Board of Revenue (Wards) No 20-104 of 1918; No 20-213 of 1919 and No 20-320 of 1920.

99. *Report of the Committee on the Agrarian Condition in Champaran*, Vol I, Ch IV.

cattle, which also reduced the risk of trespassing on the area under crops.

The committee recommended that zamindars and intermediary tenureholders should set apart some plots of land for communal purposes including grazing for cattle and the court of wards should do likewise in the villages under their direct management. Zamindars should see to it that thikadars under them implemented this recommendation.[100]

As already mentioned, the planters who grew indigo required labourers for their zirat farms. They claimed to have a right on the labour of the villages leased to them. The rates of wages fixed by them were generally lower than the prevailing rates. For example during 1916-17 they usually paid 1 anna per shift for the plough while the prevailing rate was 3 annas. A cooli received only one anna from a planter while he could earn 3½ annas elsewhere.[101] The problem was not only that inadequate wages were paid but tenants had to work as unpaid labourers for a fixed number of days every year, varying with the extent of their landholdings.

Planters impressed and detained the ploughs of tenants for days together for ploughing their zirat farms at a time when tenants themselves required them urgently for the cultivation of their own plots. In addition the amlas made cuts in the payments due to tenants for labour and ploughs in the name of dastoori.

The committee recommended the fixation of minimum wages for labour with the approval of the commissioner and hiring of all labour on voluntary basis at market rates. The minimum wages should be revised from time to time keeping in view the trends of prices and prevalent wage-structure. Thus the committee tried to do away with begar (unpaid labour) and to

100. Ibid.

101. Tirhut commissioner's file No 12 of 1917; and Proceedings of Government of Bihar and Orissa, Political Department (Special), file No 1571 of 1917.

secure the labourers wages which did not fall below a particular level.[102]

Another vexed question was the supply of bullock carts which the planters needed during harvest to carry the indigo crop to the factories and the refuse from there to zirats. Most of the planters had their own carts for their ordinary requirements but during the busy season when they had to hire extra carts and to ensure the supply of extra carts, they entered into agreements with cartmen at fixed rates. Since the cartmen were generally the tenants of the planters, they were forced to sign the cart sattas on the latter's terms and conditions which were uneconomic from the point of view of the cartmen because the rates were fixed for long periods (ranging from 9 to 20 years). The rates paid by the planters were lower than the prevailing ones and dastoori was deducated from the payment due to the cartmen.[103]

The committee recognised that the cart sattas were necessary to ensure adequate supply of carts but it deplored the existing terms and conditions. It recommended that the period of cart-sattas should be restricted to three years where the advance money did not exceed Rs 50 and to a maximum of 5 years where it exceeded Rs 50, and the planters' association was asked to frame and enforce a bylaw to this effect.[104]

The planters who had mukarrari rights sought to control trade in their areas. They levied sales tax and realised it from shopkeepers and traders. They prohibited the sale of kerosene oil without a licence from them. This sometimes led to scarcity, blackmarketing and high prices because the number of licensed shopkeepers was not adequate to meet the demands of the people.

The committee disapproved of this practice and made it clear that it was illegal because no mukarraridar could legitimately have the right to control and regulate trade in his areas. It recom-

102. *Report of the Committee on the Agrarian Condition in Champaran*, Vol I, Ch IV.

103. Ibid.

104. Ibid.

mended the immediate stoppage of the interference by mukarraridars obstructing the free sale of kerosene oil and other items.[105]

Planters acted as selfappointed magistrates taking cognizance of the offences of the people in their areas. They exacted fees for hearing cases and imposed and realised fines up to Rs 25 at a time.[106]

The committee condemned the assumption of police and judicial functions by planters, which was totally illegal and demanded immediate stoppage of such activities.[107]

Planters were often the lessees of the district board pounds which were used to coerce the tenants to come to terms with them. The committee recommended that no planter should be made the lessees of the pounds which should be managed directly by the board.[108]

The committee also looked into other types of complaints like posting peons outside the houses of defiant tenants and preventing barbers, washermen, carpenters, smiths and even priests from rendering any services to them. The recalcitrant tenants were also prevented from using village wells and pasture lands by ploughing up the pathway and land just in front of or behind their homestead and by bringing directly or indirectly civil and criminal cases against them with a view to harassing them. The tenants were also subjected to violence and wrongful confinement.[109]

When the tenants wanted to build new houses or to make substantial alterations in their old buildings on the land under their occupancy, the planters insisted that the tenants must secure prior permission for which they were asked to pay a fee. Their argument was that the land belonged to them as landlords and the tenants must secure their permission whenever they used land for a purpose different from growing crops. Legally the planters' action was contrary to the provisions of the Bengal tenancy act

105. Ibid.

106. Motihari Collectorate Papers.

107. *Report of the Committee on the Agrarian Condition in Champaran,* Vol I, Ch IV.

108. Ibid.

109. Motihari Collectorate Papers.

of 1885 which allowed the tenants to build and rebuild their houses on their holdings without any interference by the landlords. The committee upheld the complaints of the tenants.

The committee emphasised that two important steps were needed to secure the advantages of its recommendations. First, the orders of the government on the recommendations should be widely publicised in Hindi so that peasants could have knowledge about them. Second, the government should impress on the district and the court of wards officials that it was an important part of their duty to help implement the orders.[110]

The government accepted all the recommendations of the committee and to give effect to them a bill, the Champaran agrarian bill—was introduced in the Bihar and Orissa legislative council on 29 November 1917. It became Champaran agrarian act, 1918, after securing the approval of the lieutenant-governor in council and the governor-general.[111]

The act declared every agreement, lease or other contract between a landlord and his tenant void, which contained a condition that the tenant should set apart land of his tenancy or any portion thereof for the cultivation of a particular crop. If the tenant had received any advance from the landlord, he would refund such proportion of that advance as represented the unfulfilled portion of the condition. The act made tinkathia illegal. It said: "On and after the commencement of this act a special condition or incident of a tenancy to set apart the land of the tenancy or any portion thereof for the cultivation of a particular crop shall not be valid to any extent."[112]

It reduced the sharahbeshi effected before 1 October 1917 by 20 per cent in the case of Turkaulia and by 26 per cent in the case of other factories. But in the case of tenancies which had a special condition or incidence of tinkathia entered in the record of rights, the entry of such special condition or incident would be cancelled from 1 October 1917 but their rent would be enhanced to bring them on par with the rent of other tenancies.

110. Ibid.

111. Proceedings of Government of Bihar and Orissa, Revenue Department, February 1918, Nos 1-9 A; and Nos 25-59 A.

112. Ibid.

The government instructed the Bettiah raj to renew the thika leases only in case of the refund of 25 per cent of the tawan being realised. There would be no enhancement of rents for the following 7 years. It also notified that the realisation of abwab and dastoori was prohibited.[113]

The Champaran agrarian act ruled that a tenant was free to enter into contract with his landlord to deliver a specified weight of a particular crop to be grown on the land of his tenancy or any portion thereof but it made it clear that any claim for damages for the breach of such a contract should be based on a failure to cultivate any portion of land. The term of the contract was not to exceed 3 years.

The Champaran agrarian act set at rest all the disputes directly connected with indigo but at the same time it created a feeling of discontent among the raiyats because they were not satisfied with the provisions relating to sharahbeshi. They refused to pay the enhanced rent and disputed the landlords' right in trees and fishery. In 1918-19 the planters filed cases against the tenants and in 1919-20 initiated the certificate procedure under section 158-A of the Bengal tenancy act of 1885 to recover rents from defaulters.[114]

In accordance with the recommendations of the committee minimum wages were fixed for ploughman without bullocks, ploughman with bullocks and cartman at Re 0-2-9, Re 0-4-0 and Re 0-2-9 per day respectively.[115]

To give effect to the recommendation of the Champaran

113. See the notice distributed by the government on 18 October 1918 among the public (Motihari Collectorate Papers).

114. The certificate procedure was granted to Pipra, Motihari, Turkaulia, Jallaha and Rajpur factories. This procedure enabled them to adopt summary methods for the recovery of rent. It was thought necessary in order to avoid delay and expenditure involved in having recourse to civil courts. The government at the same time warned the Jallaha factory about not issuing rent-receipts about which the tenants had made a representation, See: Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), September 1919, Nos 33-92 A; and December 1919, Nos 202-07 B.

115. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), October 1919, Nos 294-296 B.

agrarian enquiry committee regarding tawan, a tawan committee was formed under the commissioner of the Tirhut division which reached the following decisions:

"1. Tawan taken in cash: (a) The refund will be paid in cash by the Bettiah estate to the raiyats, no adjustment against the rent account being attempted (b) The Bettiah estate will advance the amount and thikadars will execute bonds for the payment from one half of their commission up to the limit; if necessary, of their ten years' leases, together with interest at six per cent or at whatever rate the estate may have to pay if it borrows the amount. This . . . may be applied in all cases unless the concern prefers to find the money itself. The above acceptance is subject to the following conditions . . . firstly, that the Bettiah estate shall be caused no expense by the transaction, and secondly that adequate security for the repayment of any such advance is given by those concerns which have only thika leases. In the cases of concerns having mukarrari leases the security of those would be ample, but it is not clear what security there is against a concern which has only thika leases abandoning these leases before the advance is repaid.

"2. Tawan taken, in whole or part, on bonds: (a) Where 75 per cent of the principal amount of the tawan has already been paid off the balance will be wiped off and any excess over 75 per cent refunded in cash under the arrangement proposed. (b) Where the amount paid is less than 75 per cent, the repayment will be made by cancelling the bond to the extent of 25 per cent of the tawan. (c) Government is unable in any way to compel the raiyat to accept the liability of any balance of outstanding tawan after the deduction of 25 per cent

"3. Postponement of enhancement: If the total tawan payable after adjustment (i.e. 75 per cent of the whole) is less than seven years' enhancement, a corresponding enhancement will be forgone by the estate.

"4. Adjustment of advances outstanding on indigo and cart sattas against the refund of tawan: No pressure of any kind may be put on the raiyats to accept such an adjustment if the determination of indigo sattas under section 3(i) of the Champaran agrarian act 1918 has been made at the time when the tawan is

refunded and if the raiyat consents there is no objection to the adjustment."[116]

By 28 July 1918 a sum of Rs 1,60,301-9-9 was refunded by 18 planters as a result of the efforts of the tawan committee and only Rs 5607-7-3 remained outstanding with them. Gradually this amount was also refunded.

Though the implementation of the recommendations of the Champaran agrarian inquiry committee eased the tension between the planters and the tenants, the latter were not fully satisfied because their demands were not met in their entirety. They clamoured for an amendment in the act.

In 1937 a large number of tenants submitted a memorandum to the Bihar government, urging upon it to do away with the sharahbeshi clause and to restrain the landlords from having recourse to the certificate procedure.[117]

In spite of the objections by the Bettiah raj and the board of revenue, the government of Bihar introduced a bill in the legislature which became the Champaran agrarian (amendment) act, 1938.[118]

116. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), October 1918, Nos 19-20 A.

117. Proceedings of Government of Bihar, Revenue Department (Land Revenue), January 1939, Nos 370-373 B.

118. Ibid. The then Premier S. K. Sinha commented on the memorial that there was no reason why the Bettiah raj should not give to the tenants the relief which the government had been pressing other zamindars to give.

Both the manager of the raj and the board of revenue had raised objections and doubts about the desirability of the measures proposed by the government. The manager tried to show that the incidence of rent was not high and there was no room for a general reduction. A raiyat was entitled to rent-deduction under section 112-A of the Bihar tenancy act (earlier known as the Bengal tenancy act) which directed the collector to undertake the settlement of rent of occupancy raiyats if they applied for settlement of fair rent. The manager wrote that regular adjustments were made in cases of alluvion and diluvion and remissions were allowed in cases of temporary failure of crops due to floods, etc. and he had already issued orders to deal with individual cases of high rent due to commutation or competition.

The board of revenue raised the following points: (i) whether the provisions of section 112(1)(a) would apply to fair rent settled under

The objects and reasons for the new legislation were stated as follows: "In the district of Champaran, when the trade in indigo was not in a flourishing state, a condition was imposed by the landlords on tenants to grow indigo on 3/20th area of their

section 105 of the Bihar tenancy act during the revisional settlement operations, (2) whether the enhanced rent recorded in accordance with the Champaran agrarian act 1918 could be knocked off under section 112(1)(a) of the Bihar tenancy act.

The government overruled the objections and held that, no doubt, the provisions of section 112(1)(a) would not apply to rent settled under section 105 of the Bihar tenancy act at the time of revisional settlement but since the settlement took place more than 15 years ago the provisions of section 112(1)(d) would apply in every such case. The reduction of rent of all such holdings would be allowed in accordance with section 112(1)(d).

The sharahbeshi cases effected after 1911 and during the revisional settlement were looked into by the government. A majority of these enhancements were held valid under section 29(iii) of the Bengal tenancy act and enhanced rent was recorded. In the remaining cases the enhancements were declared illegal on the ground that the raiyats were not holding their tenancies on specially low rate of rent. In all such cases the raiyats were faced with the alternative of having the tinkathia recorded as an incidence of tenancy. More than 6000 raiyats got over the difficulty by coming to an agreement with their landlords under section 109(c) and the rent agreed upon was settled as fair rent of their holdings and tinkathia obligations were not recorded.

In the case of raiyats who did not come to any such agreements, the tinkathia obligation was noted in their khatians (the record of rights).

There were thus three types of raiyats: (1) Those in whose cases enhancements were held valid under section 29 (iii) and were recorded in khatians. (2) Those in whose cases enhancements were held invalid but enhanced amounts agreed upon by the parties were settled as fair rent under section 109(c), and (3) those in whose cases enhancements were disallowed and tinkathia obligation was recorded in their khatians. Section 4 of the Champaran agrarian act 1918 provided that in the case of (1) and (2) the enhancements were to be reduced by 20 to 26 per cent and the resultant amount was to be noted in the khatians and in the case of (3) the tinkathia obligations were to be cancelled, the rent to be enhanced on the same scale as in the case of (1) and noted in the khatians.

It was clear in the case of (1) all that the act enforced was the reduction of the enhancement under section 29(iii) by a certain percentage. The resultant recorded rent still included certain amount of

holdings. But when the trade declined and the manufacture of indigo became a losing business, the landlords released the tenants from the obligation to grow indigo but in lieu thereof enhanced the rent of the holdings considerably. Under the provisions of the Champaran agrarian act 1918, the enhancements were reduced by about 20 to 26 per cent.

"The imposition of the obligation was itself very inequitable and oppressive and so was the subsequent enhancement of the rent in lieu thereof.

"Therefore it is provided in the bill to cancel all such enhancements."[119]

enhancement under section 29(iii), and it could certainly be knocked off under section 112(1)(a).

The recorded rent in the case of (2) was fair rent settled under section 109(c). It was reduced to a certain extent by the special application of section 4 of the Champaran agrarian act. The resultant rent was still rent settled under section 109(c) and therefore on the analogy that rent settled under section 105 of the Bihar tenancy act could not be reduced under section 112(1)(a). This rent could not also be dealt with under clause (a).

Similar in the case of (3) also the enhanced rent having been recorded under section 4 of the Champaran Agrarian Act the provisions of section 112(1)(a) could have no application.

According to Baldev Sahay, the advocate general, the cases (2) and (3) could not be dealt with by the Bihar tenancy act and that is why a new bill had to be drafted and introduced in the legislature.

The government also overruled the objection that the Bettiah raj would suffer a loss of Rs 1,56,000 if the rent was reduced in addition to a loss of Rs 1,50,000 as a result of the reduction of rent under section 112-A of the Bihar tenancy act.

119. Ibid. Section 3 of the Champaran agrarian (amendment) act, 1938 read as follows:
"3. For section 4 of the said act, the following section shall be substituted namely:
"4(1) where, in consideration of the release of a tenant from the condition, special condition or incident of the nature described in section 3, the rent payable by the tenant in respect of this tenancy was (a) enhanced, whether under any contract between the tenant and his landlord, or the provisions of any act for the time being in force when such enhancement was made, the amount of such enhancement shall stand cancelled, or (b) settled under 109(c) of the Bengal tenancy act,

Regarding the certificate procedure, the following instructions were issued by the government: (1) Certificates should not be filed for the default of every kist (instalment) of rent and for less than one year's rent. (2) Certificates should not be filed for total arrears of less than Rs 10 except where on account of the smallness of the annual rent any portion of the accumulated arrear was likely to be time-barred. (3) Before a certificate was filed against any raiyat it must be seen whether the rent of his holding has been dealt with according to section 112-A and the certificates should be for the amount due after allowing the necessary reduction in rent, if any.

The Champaran agrarian (amendment) act of 1938 thus not only removed the last irritant to the tenants, viz sharahbeshi but also saved them from harassment by landlord's through certificate procedures. This measure was definitely in favour of the tenants.

To sum up: Even though the tenants were not fully satisfied with the recommendations of the committee on agrarian condition in Champaran, they scored a major victory because for the first time a public inquiry was held to look into their grievances. The report of the committee, as already shown, dealt with almost every aspect of the landlord-tenant relation.

The committee unmistakably pointed out that the troubles between the planters and tenants were rooted in the existing tenurial relations arising from permanent settlement itself, which was responsible for proliferation of intermediary tenures on the one hand and nonprotection of the occupancy rights of the tenants on the other.

The report of the committee was the result of the compromise

1885 in excess of the rent which was payable for the tenancy prior to the date of such settlement, the amount so in excess shall stand cancelled. (2) where any tenancy referred to in the subsection (1) has been partitioned or any portion of such tenancy has been transferred and the rent payable for the tenancy has been distributed between the parties to the partition or between the transferer and the transferee, as the case may be, the rent payable for each of the portions of the tenancy shall be deemed to have been reduced to an amount which shall bear to the original rent of entire tenancy the same proportion as the existing rent payable for such portion bears to the enhanced or, as the case may be, settled rent of the entire tenancy."

between the two parties and that is why it was not fully satisfactory to any of them but, if considered in its entirety, it was favourable to the tenants. It gave a big blow to the practice of leasing out portions of zamindaris and compelled the zamindars to keep their estates under kham management. By making tinkathia and the realisation of abwab and dastoori illegal, granting grazing facilities to the tenants, giving chamars the right to hides and prohibiting leaseholders from appropriating forced unpaid labour from tenants, the report made the leases unattractive. Consequently the leaseholders sold their mukarrari leases to the Bettiah raj and thikadars did not renew their tenures. Thus the recommendations of the committee helped eliminate intermediary tenureholders and the draining away of a large part of the surplus of the peasants by tenureholders. They restored the freedom of production-decisions to them. The lack of quantitative data prevents us from analysing the impact on expansion of area under cultivation and productivity but it can be anybody's guess that the peasants must have become better off and there must have been an increase in investment in agriculture.

From the above discussion it is obvious that the entire population of the district was against the planters for one reason or the other. Agricultural labourers were dissatisfied because they did not get wages at prevailing rates and they were forced to do unpaid labour for them. Tenants were against the planters for tinkathia obligation, very low price for indigo, unremunerative cart sattas, the realisation of abwab and dastoori, besides harassment by planters and their amlas. Later when dye-manufacture became a losing proposition tenants were compelled to make up the loss.

Cobblers were hard hit because of an attack on their right to hides and small shopkeepers were aggrieved because they were restricted in their operations and subjected to illegal taxes.

The local leadership however comprised moneylenders, rich tenants, petty zamindars, ex-factory employees and teachers. It may be noted that most of the local leaders came from hindu upper-castes.

Among local leaders prominent moneylenders were Khendhar Rai of Laukaria, Raj Kumar Shukla, Gauri Shankar Shah, Hira

Lal Shah, Debi Lal Shah, Ram Dayal Prasad Shah, Lalita Prasad Shah, Punyadeo Prasad Shah, Suraj Mal Marwari of Bettiah, Radhey Marwari of Bettiah, Raja Ram Marwari, Bhagatu Mal of Bettiah, Ramu Marwari of Motihari, etc.

It should be recalled that Raj Kumar Shukla was instrumental in bringing Gandhi to Champaran. He had seconded the resolution on the Champaran situation at the Lucknow session of the Indian National Congress in December 1916. He had been mainly instrumental in persuading the leaders to adopt resolutions at the Bihar political conferences and he was one of the key witnesses for the peasants before the Champaran agrarian inquiry committee. According to his own admission he had a moneylending business to the extent of more than Rs 4000 which was by no means a small sum during those days.[120]

Another important leader and witness for peasants was Khendhar Rai of Laukaria who had a moneylending business to the extent of more than one lakh rupees.[121]

All the shahs mentioned above belonged to Motihari though some of them originally belonged to Bhawanipur (Gobindganj). Their moneylending business ran into lakhs of rupees. Only one instance will suffice to show the scale of the moneylending business. When the court of wards assumed charge of the Bettiah raj; it owed Rs 1,10,847-15-7 to Gopal Shah, a member of the shah family of Motihari.[122]

The Marwaris of Bettiah and Motihari who financed the movement and gave other kinds of material support were all moneylender-cum-traders. They lent money to peasants and bought their agricultural produce either for exporting out of the district or selling at the time when prices went up. They also traded in finished goods like cloth, sugar, etc.

All these people found their interests prejudiced by the continuance of the planters in the district. Indigo brought cash to the peasants and they had to sell a very small part of their other agricultural produce to traders to fulfil their needs of cash. So

120. *Report of the Committee on the Agrarian Condition in Champaran*, Vol II, p 61.

121. Ibid, p 70.

122. Basu, op cit, p 33.

long as they continued with indigo cultivation, they did not need money for the payment of rent because rent was deducted from the amount due to them as price for the crop. The result was that the dependence of peasants on moneylenders was less. Moreover so long as they grew indigo the planters did not increase their rents. Moneylenders had another difficulty because of the presence of indigo planters as intermediary tenureholders. They could not get hold of peasants' landholdings when the latter failed to repay debts. No tenant in Champaran could transfer his landholdings by sale without the permission of the zamindar and the Bettiah raj had given the power to permit transfers of holdings to thikadars and mukarraridars for the areas under them.[123] Planters made it a point not to permit any transfer of raiyati holdings. This was not to the liking of moneylenders because their loans became unsecured since they could not acquire debtors' holdings in case they failed to repay the debts. Rich peasants like Khendhar Rai could not expand the area of their holdings.

In certain cases the planters borrowed money from local moneylenders and refused to repay. One such instance was that of Khendhar Rai who had lent money to the Bairia factory but did not get it back.

The construction of railways in Champaran acted in the same way as in the rest of India; prices of foodgrains and other agricultural produce rose because they could be exported without much difficulty. The opening of the Tribeni canal in north Champaran facilitated the cultivation of a considerable tract of land and helped increase productivity of land. Consequently the peasants got restive and thought they would gain more by growing cereals than indigo. They were encouraged by moneylenders and traders who stood to benefit by the extension of cereal cultivation.[124]

Moneylenders and traders thus found the planters in the way

123. Proceedings of Government of Bengal, Revenue Department (Land Revenue), June 1900, Nos 252-53 B.

124. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), August 1918, Nos 25-59; and Political (Special) Department, file No 1571 of 1917, Part II.

of the expansion of their business. The marwaris and the shahs were not directly concerned with indigo cultivation, hence they were not involved in any direct dispute with planters. But they rightly thought that the planters' departure would result in greatly increased power and profit for themselves. That was the reason why the shahs of Motihari and the marwaris of the district rendered material help to Gandhi and his followers. Besides money they placed their houses and dharamshalas at the disposal of Gandhi and his followers.

Two other important local leaders, Wakilman Mishra and Babu Lal Mishra of Karmawa had old connections with the Bettiah raj and held thika tenures. After the advent of the planters they were driven out as leaseholders and their influence and status suffered a setback. They saw in planters a threat to their power and prestige. Babu Lal Mishra, Wakilman Mishra and other petty zamindars were forced by the planters to lease out portions of their zamindaris to them. Khendhar Rai was harassed into leasing village Matiaria to Bion of Chanpatia and was paid only Rs 9000 while in the lease-deed a sum of Rs 15,000 was entered.[125]

Sheikh Gulab, Shital Rai, Khendhar Rai, Raj Kumar Shukla, Wakilman Mishra, Babulal Mishra and Sita Ram Tiwari—who were prominent local leaders—belonged to the upper strata of rural society and they carried on agricultural operations with the help of hired labour. Because of the presence of indigo planters who needed a large number of labourers during busy agricultural seasons, these people did not get enough labourers and their agricultural work suffered. W. H. Lewis, SDO Bettiah, wrote to the district magistrate, Champaran, on 1 June 1917: "The difficulty in Champaran is due, I think, to the larger demand for labour made by the European concerns and the superimposition of a quasi-industrial system on the basis of zamindari custom. Some factories are happy in possessing villages which assume a regular supply of labourers (banihars). In villages however where there are a large proportion of high-caste, brahmin or rajput tenants, the factory's demand for labour may clash with the raiyats' own

125. *Report of the Committee on the Agrarian Condition in Champaran,* Vol II, p 72.

needs: but the first claim on available labour is exercised by the factory."[126]

This was one of the reasons for the solid support given by the upper strata of rural society to the movement against planters. Moreover the above-mentioned leaders and their families had been leaders of the rural society by virtue of their caste status and economic power. This leadership was threatened by planters who had become more powerful in the district because of their zamindari rights and influence on the administration. They had taken over the function of arbitrators in rural disputes and the people belonging to the lower strata—inculding potters, barbers, washermen, etc.—were made to obey the planters rather than to look to traditional leaders of rural society, such as rich brahmins, bhumihars, rajputs and sheikhs. S. C. Bayley, commissioner of the Patna division, informed the government as early as 1875: "Indeed if we inquire among what classes it (indigo) is unpopular, we shall find that... it is the favoured classes, brahmins and rajpoots, who hold their lands at favourable rates, who have power and influence in the village from which they derive no small advantage, and who hate to see their position usurped by the factory amlah—it is to these classes that indigo is specially hateful; and though they might be recouped for any pecuniary disadvantage by higher prices, this would not pay for their loss."[127]

Thus the emergence of indigo planters had initiated a process which it was feared by the upper strata of the rural society would undermine the existing property structure and social relations.

Among the local leaders were also the former employees of planters who had quarelled with the planters and had been dismissed. They did not come into clash for taking peasants' side but on personal matters. For example Sant Raut, a prominent leader and important witness for peasants before the committee, was an employee of the Belwa factory for 12 years. Lomraj Singh, another leader, was a former employee of the Pipra factory.

126. Tirhut commissioner's file No 12 of 1917.

127. Annual General Administration Report, Patna division for 1875-76.

Harbans Sahay and Pir Muhammad Munis were dismissed as teachers of the Bettiah raj school. Their services were terminated for their anti-British views. They along with a terrorist, Syed Abdul Rahim, were responsible for filing reports on the Champaran situation to newspapers and distributing leaflets and organising lectures by outsiders.

Braj Kishore Prasad, Rajendra Prasad, Ram Naumi Prasad, Anugrah Narayan Singh, Shambu Sharan, Gorakh Prasad, Nag Narayan Mukhtyar etc. were lawyers connected with raiyats, figrting their cases in different courts. Socially and economically they belonged to the upper strata of rural society.

In this background B. B. Misra is justified in observing: "The persons who locally organised the agitation against the planters included a number of former factory employees who built up assets and purchased landed property; Indian moneylenders, businessmen and landholders who found the interest prejudiced by the operation of European capital interfering with a free and undisturbed transfer of tenants' property into their hands and some teachers and local lawyers who maintained links with the press and political organisation outside the district."[128]

Let us now turn our attention to the press and its attitude towards this agitation. A reference has already been made to the role played by *Pratap, Abhyuday, Bharat Mitra* and *Biharee.* These newspapers took up the cause of peasants and drew attention of the government and people outside the district to the Champaran situation. *Pratap* brought out leaflets and pamphlets supporting the cause of peasants. It offered its columns to those who had actual knowledge of indigo plantation in Champaran to write about the oppression of peasants by planters. Except the two British-owned papers, *Statesman* of Calcutta and *Pioneer* of Lucknow, most of the newspapers in Bengal, Bihar and UP supported Gandhi and the peasant movement. Among other prominent newspapers supporting the agitation were *Bihar Herald* of Patna, *Sadaqat,* an urdu daily of Calcutta, *Hindi Bangbasi* of

128. Misra, (ed), *Select Documents on Mahatma Gandhi's Movement in Champaran,* p 18.

Calcutta, *Bihar Darpan, Mithila Mihir, Pataliputra, Tirhut Samachar, Express and Hindi Biharee.*[129]

Most of the big Bihar zamindars sided with planters whenever there came a demand for inquiry. Both the maharaja of Darbhanga and raja Kirtyanand Singh of Banaili opposed the resolution moved by Braj Kishore Prasad in the legislative council for a public inquiry. Another zamindar, Rai Bahadur Shiv Shankar Sahay, who was the owner of *Biharee,* made its editor, Maheshwar Prasad, resign because he published articles supporting the peasants, which displeased the planters. Two considerations determined the attitude of zamindars. First, the success of the peasant movement in Champaran, zamindars were afraid, might embolden the raiyats in their own villages also to start movements against eviction, abwab, begar, and nongrant of rent-receipts. Second, indigo planters had tremendous influence on government administration and it was not in the interests of zamindars to antagonise the planters.

Not all the British officials were supporters of planters though a majority did support their case. Some of the British officials tried to protect raiyats and redress their legitimate grievances. Among them were John Beames who was district magistrate during 1866-67, George Campbell, Sir Ashley Eden, who was lieutenant-governor of Bengal in 1877, Gourlay, E. N. Baker, E. A. Gait, etc. Let us take some concrete examples. When Gourlay was asked to hold an inquiry in the indigo affair, the move was opposed by the police department and local officials. However the chief secretary did not pay any heed to this opposition. Later when it was pointed out by some British officials that if raiyats were given freedom to decide what to cultivate, they might not grow indigo, the then lieutenant-governor E. N. Baker retorted, "...indigo industry must stand on a commercial footing and be dependent in no degree whatsoever on compulsion or even pressure. I am ready to help planters in every

129. Reports on the newspapers of Bihar and Orissa, parts I and II for 1912-18.

legitimate way. But if indigo cannot subsist without coercion, indigo must perish."[130]

When Gandhi arrived in the district he was served with an externment order by local authorities. This was not liked by the lieutenant-governor E. A. Gait who regarded the order as "an unfortunate attempt on the part of the commissioner forcibly to remove Mr Gandhi".[131] The chief secretary to government of Bihar and Orissa told the commissioner of the Tirhut division on 2 April 1917: " In his-honour-in-council's opinion you made a mistake calling upon Mr Gandhi for credentials which was a way of cold-shouldering him and keeping him waiting in Muzaffarpur till you had made a reference to government. . . .His-honour-in-council however considers that you made a still greater mistake in that, without ascertaining the views of government or even waiting for Mr Gandhi's production of his credentials, you issued an anticipatory instruction to the district magistrate of Champaran to keep an order under section 144, criminal procedure code, ready waiting for Mr Gandhi should he arrive in Motihari."[132]

The order of the local authorities was withdrawn and consequently the case against Gandhi for defying the order was dropped. The local authorities were told to give all assistance to him in his investigation.

These officers placed the interests of British rule above planters' interests. They did not want the mass discontent to grow and endanger the existence of British rule itself. Moreover they wanted to show that the government was taking no sides in the disputes between planters and peasants. When troubles became violent the government did something or the other to get some concessions for the peasants to mollify them.

It was mainly the local administration that sided with the planters and instituted false criminal cases against peasants. It

130. Proceedings of Government of Bengal, Revenue Department, 1909, confidential file No 19.

131. Proceedings of Government of Bihar and Orissa, Revenue Department (Land Revenue), August 1918, Nos 25-59.

132. Proceedings of Government of Bihar and Orissa, Political Department (Special), file No 1571 of 1917.

tried to enrol peasant leaders as special constables in order to break the unity and organisation of peasants, opened registry offices and generally worked at the behest of planters. However even among the local officials there were people who had high regards for Gandhi and his methods of work. One such officer was W. H. Lewis, subdivisional officer of Bettiah. He wrote to the collector: "Gandhi seems a curious mixture of the east and west. He owes a large part of his belief to Ruskin and Tolstoi, particularly the latter's and couples these to the asceticism of a jogi. Were his ideas only those of east, he would have been content to have applied them to his personal existence in a life of his meditative seclusion. It is only the teachings of the west that have made him an active social reformer."[133] Another officer J. T. Whitty, manager, Bettiah raj, wrote to the commissioner, Tirhut division: "He is a man who is prepared to go to any length to carry through an idea. He can easily be made into a martyr and cannot be easily suppressed."[134]

The softness of local officials for planters had some historical background. The rebellion of 1857 was very serious in Bihar and indigo planters in north Bihar proved to be strong props of company rule. They fought against the rebels, guarded Muzaffarpur and helped the company restore its rule. Consequently the attitude of the government in general and the local British officials in particular became more favourable. The latter had social connections with planters. They had common clubs and frequently met one another at social functions. Since 1857 there had been a feeling that in case of troubles and rebellion from the local population planters would stand by them. "The experiences of the mutiny and the motives of imperial interest... dictated the expediency of creating pockets of European population intended to support the empire in times of emergency."[135] The hands of the planters were thus strengthened, they were given magisterial powers and positions in the army.

Thus while one section of British bureaucracy wanted to give

133. Proceedings of Government of Bihar and Orissa, Political (Special) Department, 1917, file No 1571.

134. Ibid.

135. Singh, op cit, pp 241, 246.

priority to the objectives that seeds of rebellion should be destroyed even if some action had to be taken against planters' interests, the other section gave more emphasis to the protection of the props of British rule which could be relied on in case of disturbances or rebellions.

We now came to the last phase of peasant agitation—the agitation directed against local zamindars. During this phase the agitation never became widespread and of no serious consequence until 1920s. The reason was simple. Before the 1920s the three big zamindaris were controlled by intermdiary tenureholders and there was very little direct dealing between raiyats and zamindars.

However towards the end of the nineteenth century there was one agitation against the Madhuban zamindar and there were troubles in the Ramnagar raj. The latter were fomented by the two claimants to the raj. They tried to incite raiyats against each other.

The reason for the peasant agitation against the Madhuban zamindar, which was limited only to tappa Duho Suho, was his attempt to increase rent on the ground that raiyats were in possession of excess land than what was recorded in the jambandi. On this plea, without resorting to any measurement to detect the amount of excess land in the possession of raiyats and without getting the enhancements sanctioned by appropriate civil courts, the zamindar went in for a general enhancement of rent of all the raiyats. The tension between the zamindar and raiyats continued till the matter was settled by the survey-settlement officer. "The rents attested were for the most part at an intermediate rate, or at that claimed by the tenants."[136]

During the last years of the 1920s there started an agitation against the Ramnagar raj on the issue of grazing facilities for raiyats, the majority of whom belonged to the tharu community. These people had been grazing their cattle in the forests owned by the raj without any payment and they had been taking timber free of charge for building houses and making agricultural

136. Stevenson-Moore, *Final Report on Champaran,* p 57; and *Report on the Land Revenue Administration of the Lower Provinces* for the year 1894-95.

implements and using as fuel for cooking food. When Ram Raja became the proprietor of the raj, he stopped these facilities and filed criminal cases against those who defied his orders.

An agitation started against the Ramnagar raj. It was led and guided by the district and provincial leaders of the Congress. In 1928 one of the prominent leaders of the agitation, Prajapati Mishra, was beaten along with his comrades by the servants of the zamindar. This led to the intensification of the agitation and people from all over the district flocked to Ramnagar area. Raiyats stopped payment of rent, nonviolently asserted their rights to grazing and timber and held meetings and demonstrations. Ultimately the raj yielded and the raiyats were granted rights to grazing, timber and fuel up to a certain limit without any charge. However the agreement could not be implemented to the satisfaction of raiyats because the Congress leaders and prominent agitators had gone to jail in connection with salt satyagrah.

As soon as they came out of jail the agitation started for full implementation of the agreement and it ended in success.[137]

During the 1930s there was a provincewide agitation for the restoration of bakasht land. The agitation resulted in the Bihar restoration of bakasht lands and reduction of arrears of rent act, 1938. This act provided for the restoration to former tenants of certain lands which were sold for arrears of rent between 1929 and 1937 on account of their inability to pay such arrears owing to the unprecedented fall in agricultural prices in the wake of the great depression and also for the reduction of rent wherever it was thought desirable. To implement the provisions of the legislation bakasht boards composed of representatives of raiyats and zamindars under the supervision of the government were formed.[138]

The bakasht agitation in Champaran was confined only to a few villages under Adapur and Dhaka police stations. It

137. *Report on the Land Revenue Administration of the Province of Bihar* for 1938-39.

138. *The Bihar Code*, Vol IV, pp 102-6; Proceedings of Government of Bihar, Revenue Department (Land Revenue), October 1940, Nos 182-88 B.

led to some rioting in Dhaka. Ultimately compromises were arrived at between the two parties in the light of the new legislation.[139]

Peasant agitation in Champaran assumed a new dimension during the first congress ministry in Bihar. The congress government appointed B. B. Varma, an important congress leader and landholder of Champaran, to be the first Indian manager of the Bettiah raj after the assumption by the court of wards. He took charge of his assignment in 1939 and remained in office till 3 September 1942 but was again appointed to the same post after the formation of the second congress ministry in Bihar in 1946 and continued in office till 1950.

During his tenure of office Varma settled a large amount of gairmazrua malik land with his relations, with important congress leaders and with influential outsiders.[140] This was in contravention of one of the important principles for the settlement of such agricultural land in a wards or encumbered estate, which said: "Effort should be made to settle the land with the local people as far as possible."[141]

Among the important persons with whom substantial amount of land was settled were the then excise commissioner of Bihar, Ram Prasad Shahi, and his brother, Ram Rekha Prasad Shahi, who got about 350 acres of the Sathi farm land which was surrendered to the Bettiah raj when the planters left. They were related to Mahesh Prasad Sinha, the closest lieutenant of the chief minister S. K. Sinha.

The settlement with the shahis was made on 18 November 1946 ignoring the claims of the local people some of whom were in the actual possession of portions of the land. The shahis were outsiders belonging to Saran district. Local peasants resis-

139. *Reports on the Land Revenue Administration of the province of Bihar* for 1939-40 and 1940-41.

140. For the list of allottees, see: Proceedings of Government of Bihar, Revenue Department (Land Revenue), December 1947, Nos 443-50 B; *The Indian Nation,* Patna, 31 May, 1969, p 8; the unpublished Sathi report of Dr Ram Manohar Lohia to the Socialist Party; and *Mankind,* June 1959, p 994.

141. Proceedings of Government of Bihar, Revenue Department (Land Revenue) December 1947, Nos 225-31 B.

ted the occupation of the land by the shahis and their agitation took a serious turn. When Gandhi who was touring the communal riots-affected areas of Bihar heard this, he condemned the policies of the Bettiah raj in the settlement of land in his prayer meeting at Maner (Patna) on 23 May 1946.[142]

The central congress leaders intervened in the matter and Prajapati Mishra was appointed arbitrator who gave the award that the shahis should surrender 45 acres to be settled with local peasants. However the peasants refused to accept the award and brought to light the fact that the arbitrator had himself got the raj land in Persauna and Senuaria settled in his own name.[143]

With the Socialist Party jumping into the fray and appointing a committee under the chairmanship of Dr Ram Manohar Lohia to inquire into the matter, the congress leader and home minister, Sardar Patel intervened and looked into the settlement of land with the shahis and with Prajapati Mishra and found a number of irregularities. [144] Firstly, none of them were local people with whom the settlement was made. Secondly, the settlement with the shahis was made in spite of opposition from the collector and the commissioner. Lastly, one of the shahis was a high-ranking government official, but he did not seek government permission for accepting the settlement of land. On Patel's recommendation, the all-India congress working committee urged the Bihar government to cancel the settlement with the shahis and with Mishra.[145]

With a view to evading cancellation, Mishra created a trust and transferred his land to it. He himself became chairman of board of trustees and thus kept the land under his control.[146] For the cancellation of the settlement with the shahis, the government of Bihar enacted a legislation entitled the Sathi

142. Datta, *Mahatma Gandhi in Bihar: Speeches and Writings*, p 328.

143. Proceedings of Government of Bihar, Revenue Department (Land Revenue) December 1947, Nos 225-31 B.

144. *Bihar Legislative Assembly Debates*, 24-25 May 1950.

145. Ibid.

146. *All India Reporter, Supreme Court*, 1953, p 220.

land restoration act of 1950 which could not be implemented as it was declared null and void by the supreme court on the ground that it was discriminatory because other similar cases were left out on one ground or the other.[147] Consequently the settlement could not be undone.

Meanwhile the agitation continued and is still continuing, at times becoming violent and resulting in mass arrests though the shahis sold their landholdings to Sita Rajgarhiya of Bettiah in 1962.

The main feature of the peasant agitation against Indian zamindars was that it remained localised and did not have districtwide character. Except agitation against the Madhuban zamindar on the questions of rent-enhancement and bakasht restoration, all other agitations were in the Bettiah subdivision. The agitation against the Ramnagar raj and the movement for the settlement of the Bettiah raj land with local people and actual cultivators received all-India attention in the sense that the all-India congress committee, the Socialist Party and the Communist Party suported them.

Another important thing which came to light was the successful attempt by politicians and their relations to acquire land from the Bettiah raj and the Ramnagar raj without caring for the interests of local peasants and principles of the settlement laid down by the court of wards. This way a new group of landholders was born and new tensions generated.[148]

The Bihar government brought forward the Sathi land restoration act of 1950 in accordance with the dictates of the all-India congress working committee but it was not really interested in annulling the settlement with the shahis and others. Loopholes were left which ultimately led to its being declared null and void by the supreme court. After the judgement no step was initiated to reenact it with necessary changes.

147. Ibid. Also see: Sinha, *Sathi ke Kisano ka Aitihasik Sangharsa.*

148. Mishra, Girish and Pandey, Braj Kumar "Socio-Economic Roots of Casteism in Bihar" in Gupta (edited) *Transition from capitalism and Other Essays,* pp 151-217.

Chapter Eight

CONCLUSION

The mode of settlement of land revenue affects in a great measure the socioeconomic life of the people in a country where land happens to be the main source of livelihood. The way the settlement is effected determines the relative rights and privileges of various sections of the community owning, occupying, managing or cultivating land and sharing its produce. Thus it has an important bearing on the organisation of production and the pattern of distribution in the agricultural sector.

Permanent settlement was the first land-revenue system introduced by the British in India. It came into existence in 1793 in the then Bengal presidency of which Bihar was a part. This system was abolished in Bihar after the land reforms act of 1950 came into force.

When the East India Company received the diwani of Bengal, Bihar and Orissa, it had no prior knowledge of revenue affairs whatsoever. What it knew was the importance of land revenue as a major source of government finance. Its aim was to evolve a system which ensured a steady flow of revenue and did not adversely affect agricultural productivity.

Between 1765 and 1786 the company experimented with a number of arrangements, none of which proved satisfactory. The objective of reducing the cost of collection and punctual realisation of revenue were not achieved, nor were reliable estimates of land revenue potential obtained.

On his arrival in India in 1786 Lord Cornwallis found that agriculture and trade were in a bad shape,peasants were suffering and the only section of rural society flourishing was the moneylending community. As a result land

revenue receipts were falling off. The uncertainty prevailing in land revenue affairs was the main factor responsible for this situation. It was thought that the way out was a permanent settlement with zamindars. Cornwallis was of the view that the permanent limitation of the government land revenue demand would be an incentive to zamindars to clear forests and extend the area under cultivation, besides ensuring a good deal of stability in land revenue affairs.

It was thought that permanent settlement would ensure punctual and regular payment of government revenue demand and at the same time the government would be relived of the burden of maintaining an elaborate machinery for the collection of rent and management of revenue affairs.

Another consideration underlying the proposal for permanent settlement by Lord Cornwallis was the reduction of government interference to the minimum.

Cornwallis and other British authorities were aware of the fact that the permanent limitation of government revenue demand would mean giving up all claims to future increase in rental. However, according to Cornwallis, this loss would be more than compensated by increasing revenue from indirect taxes. His belief was that zamindars, as a result of their continuously increasing income, would import British goods. Thus the market for British goods would expand.

On these grounds the decennial settlement was concluded with zamindars in 1789 with a view to making it permanent. In 1793 the settlement was declared permanent.

The zamindars with whom the settlement was made were vested with proprietary rights in land. It required the zamindars to pay the government revenue demand in time and without fail. The revenue was fixed at 10/11ths of the existing rental and it was limited at that figure for all time to come.

Vesting the zamindars with proprietary rights in land was an unprecedented step which radically altered the situation in rural society. Till then zamindars, in spite of

their power and domination, did not have any ownership right in land.

The district of Champaran was almost entirely under permanent settlement. Out of the total area of 22,63,194 acres, 22,61,732 acres representing more than 99.9 per cent was permanently settled. The number of temporarily-settled estates never exceeded 8 and there was only one estate directly managed by the government.

Champaran had a relatively simple pattern of property distribution. The three big zamindars held about three-fourths of the total area. Moreover the layers of secondary tenures were not very many. Between the zamindars and an occupancy raiyat there was only one or in some cases two intermediary tenureholders. Among the special features of the district were the European-controlled plantation industry (indigo and sugarcane) and the government-controlled poppy plantation. Besides the district was marked by a series of agrarian agitations culminating in Gandhi's satyagraha of 1917-18.

The decennial settlement in Champaran was concluded with six persons for a total revenue of Rs 3,51,427-4-9 and it was declared permanent in 1793. Five of them were local chiefs and had been revenue-collectors since the Mughal days. All of them were upper-caste hindus. Of these six persons no trace is found of one—Abhay Charan Majumdar—who was revenue official of the government at the time of settlement. His zamindari came to form part of the Bettiah raj. The families of four out of the remaining five zamindars remained in possession of their estates throughout the period of the settlement.

The zamindar who lost his zamindari was the raja of Sheohar. He was the victim of the sunset law which required that government revenue demand should be paid with unfailing punctuality by the fixed date before sunset. It was held that if the landlord did not or could not pay, he must be removed at once, and the whole or a part of his zamindari sold off. The Sheohar zamindar failed to collect sufficient amount of rent from the tenants to pay off the government revenue and meet the cost of collection

and management of the zamindari. Consequently by 1800 he lost all his zamindari interests in Champaran.

Here it should be noted that in the beginning the margin of income allowed to zamindars (1/11th of the gross rental) was so small that any substantial arrears of rent put them in a precarious situation. When permanent settlement was concluded, the zamindars were deprived of their police and judicial powers. As a result they could not coerce recalcitrant tenants to pay their rent in time. The punishment for nonpayment of rent was very light in the beginning. Abwab existing at the time of permanent settlement were merged with the jama and levying of any further abwab was banned. Abwab did emerge in contravention of the regulations of permanent settlement but not immediately after it was concluded. That is why till such time as there was increase in the area under cultivation or income from forests, mines, etc. and from fresh abwab, zamindars were financially in a tight position. The Sheohar zamindar was the victim of such a situation. His zamindari interests were sold in small lots because the government believed that smaller zamindaris were better managed.

Besides the sunset law, two other factors affecting the number of permanently-settled estates were partition and resumption of invalid lakhiraj grants and their resettlement.

Partition did not affect any of the three big zamindaris because they were traditionally impartible. Even in the case of other estates the average number of partitions was the smallest. Between 1866 and 1895 the average number of partitions per year in Champaran varied from 5 to 7 while it fluctuated between 36 and 77 for the Patna division as a whole.

By 1841 the task of the scrutiny of lakhiraj grants was completed. All hukumi grants were resumed and resettled as permanently-settled estates. This brought into existence 421 permanently-settled estates.

As a result of these three factors, viz the operation of sunset law, partition and resumption and resettlement of invalid lakhiraj grants, the number of permanently-settled estates rose from 6 in 1793 to 821 in 1869-70 and to 1021

in 1880-81. By the time of zamindari abolition their number had gone up to 1548. The increasing number of the permanently-settled estates meant that the average size of a zamindari fell.

The period under permanent settlement witnessed a significant increase in rental while the government revenue demand did not increase much. Between 1793 and 1951-52 the total rental of zamindars increased from Rs 5,55,615 to Rs 40,42,905 and land revenue from Rs 3,85,587 to Rs 5,14,397, i.e. by only Rs 1,28,810. The increase in land revenue was due to resumption of invalid lakhiraj grants and their resettlement. The major part of resumption work was over by 1845. That is why after 1845 there was no appreciable increase in revenue demand. However there were fluctuations in the amount of revenue due to the acquisition of land for railways, canals and other public works and diluvion of a few temporarily-settled estates.

The share of zamindars in the total rental increased from Rs. 1,70,028 in 1793 to Rs 35,28,508 in 1951-52. This increase was brought about by the permanent limitation of the government revenue and the increased raiyati rental. The latter was caused by the extension of area under cultivation and the enhanced rate of rent resulting from increased demand of land necessitated by increasing population of the district (from which there was practically no emigration to other districts), absence of any job opportunities in the nonagricultural sector and rising prices.

The question as to what happened to the increasing income of zamindars can be answered by concentrating our attention mainly on the three largest zamindaris of the district. None of them made any investment in business, industry or real estate. There were no bank deposits to their credit or investments in securities. In fact all of them were in heavy debt. For example let us take the biggest zamindari of the district—the Bettiah raj. Its gross rental (rent, cess and sair) rose from Rs 3,95,704 in 1793 to Rs 14,42,018-14-7 in 1879-80 and to Rs 16,07,176-0-0 in 1893 when the last zamindar Harendra Kishore Singh died. On 1 April 1897 when the raj was taken over by the court of wards its net income after the payment of all government

dues and defraying the cost of collection and management was around Rs 12 lakh. At that time its total debt amounted to over Rs 80 lakh as principal and Rs one lakh as overdue interest. Another large zamindari—Ramnagar raj—had at that time a debt amounting to Rs 6 lakh. The third one—the Madhuban raj—was also heavily indebted and it had to part with a portion of its zamindari to the Darbhanga raj as repayment.

The indebtedness of the three big zamindars was not due to insufficiency of their rental income in relation to revenue and cost of management. It was due to their extravagance. The probable explanation could be that they wanted to show off as if they were native rulers. Under the influence of brahmins costly temples were built and lavishly endowed. Villages were leased to brahmins and other favourites at nominal rates and huge amounts were spent on liquor, dancing girls, ceremonies and entertainments.

None of them spent any part of their income on the improvement of agriculture or development of industry and commerce. They were to all intents and purposes absentee landlords. In spite of their having their place of residence in their zamindaris, they seldom took any active interest in the management of their zamindaris. Intermediary tenures were widespread. On 1 April 1897 a little over 91 per cent of the total rental of the Bettiah raj was collected through intermediary tenureholders. If we take two out of the three big zamindaris, viz the Bettiah raj and the Ramnagar raj, we find that in 1917 out of 2220 villages under them 1937 were held by intermediary tenureholders.

Had the frittering away of the economic surplus appropriated by the zamindars not taken place and had they taken active interest in investing in productive activities, they as well as their tenants would have benefited.

The expectations of the framers of permanent settlement did not come true. Besides unproductive consumption of economic surplus and absenteeism, the zamindars failed to implement patta regulations which meant in practice the failure to protect raiyats from arbitrary enhancements of rent and exaction of illegal cesses. Nor did

the zamindars help raiyats during times of natural calamity like famines by remitting rent and starting relief work.

The main reason for the nonfulfilment of the expectations of the framers of permanent settlement was their failure to take note of the social and cultural milieu in which zemindars lived and operated. They were not economic entrepreneurs as the authorities assumed them to be.

The fact that from all the big zamindars of Bihar, whose management was taken over by the government, the court of wards was able to wipe out the debt and generate enough surplus shows that the assumption of the framers of permanent settlement about the zemindars was not valid. Under the management of the court of wards the net income (i.e. total collection of rent and cesses due to the raj minus revenue and cesses and the cost of management) from the zamindari property of the Bettiah raj rose from Rs 12 lakh to Rs 20,24,605 in 1941-42. This was in spite of the fact that the cost of management had gone up sharply. Because of the increasing income of the raj as a result of better management under the court of wards and the absence of extravagance, it was able to buy back the mukarrari rights from planters and wipe out all debt by 1925-26.

As in other districts of Bihar, intermediary tenures and their proliferation were characteristic features of permanent settlement in Champaran. The only difference was that the layers of secondary tenures were not numerous in Champaran; generally one (and in some cases two) tenureholder intervened between an occupancy-raiyat and a zamindar.

The system of farming out zamindaris was a very old practice in Champaran. It existed prior to the introduction of premanent settlement also. However the widening gap between raiyati rental and revenue demand arising from continuous increase in the former and inelastic character of the latter made it more attractive. In addition to this other reasons for creating intermediary tenures included the indebtedness of zamindars pushing up the demand for cash, difficulties of rent-collection and of management of

zamindari affairs, and the need to reward favourites for services rendered.

Except where the intermediary tenures were given to favourites, the highest bidders at public auction were made intermediary tenureholders. Among the Indian bidders were generally rich peasants, petty zamindars and money lenders who needed intermediary tenures as a secure and safe avenue for investment and also for advancing their social status. With the entry of European planters Indian tenureholders were pushed aside. European planters could outbid them at the auction because they could offer more money. Since they did not depend on raiyati rental, they could offer in many cases almost the whole or even more than the raiyati rental to the zamindar. They were interested primarily in acquiring zamindari rights by becoming tenureholders to force the peasants to grow indigo on assamiwar basis and on their own terms and conditions. Later when the Bettiah raj had to borrow money in England the European planters were given mukarrari tenures to satisfy one of the conditions of the loan.

The burden of increasing thikadari rental was ultimately borne by the raiyats. Indian tenureholders levied abwab and salami or raised the rent to meet the cost of management and have an income for themselves. In the case of European planters as tenureholders, raiyats were made to grow indigo on unremunerative terms.

With the exception of European planters, the intermediary tenureholders were just a proliferation of the parasitical class which rarely took part in the production process or rarely contributed in any significant way to the growth of production but only shared in the surplus product of cultivators. The distribution of agricultural surplus among the government, zamindars, tenureholders, undertenureholders, etc was not conducive to saving and capital accumulation.

Intermediary tenures and their proliferation accentuated the negative features of absenteeism. The zamindar was further removed from his tenants and lost interest in their welfare. He became a mere annuitant. The system of intermediary tenures was injurious to raiyats' rights be-

cause no intermediary tenureholder granted rent-receipts till 1899. They did not like to place any documentary evidence in the hands of the raiyats which could be used for securing occupancy rights resulting in fixity of rent. The tenureholders did not maintain proper zamindari records nor did they submit any records to zamindars. The result was that raiyats could not produce any records in civil courts as regards rent and the period of their tenancy.

Intermediary tenureholders did not make any investment in agriculture or any other productive business in the district out of their thikadari or mukarrari income. European planters remitted most of their profits to their home country and sold their properties including indigo factories and intermediary tenures to their junior partners or managers, once they had made enough money. Thus the planters did not have long-term interest in their tenures. So far as thika tenures were concerned, the uncertainty about the future and the policy of zamindars to increase thikadari rentals with a view to mopping up a significant part of the increased income of thikadars discouraged any investment in the improvement of agriculture in the form of irrigation facilities or in other forms. The burden of increasing monetary demands by zamindars on tenureholders ultimately fell on the raiyats who were seldom allowed to have more than their bare subsistance.

The introduction of permanent settlement leading to the prevalance of cash-rent, the opening of the Suez Canal and the growth of means of transport and communications linking Champaran with the world market, and the tenurial arrangements existing in the district promoted the growth of commercial agriculture. Important among the commercial crops were poppy, indigo and sugarcane. Outside agencies acted as organisers of the production of these three crops and they brought the peasants in contact with the market.

The existing tenurial arrangement played a crucial role on the supply side of indigo and sugarcane (up to 1917). European intermediary tenureholders forced the raiyats to grow indigo or sugarcane on the assamiwar basis on a specific portion of their holdings. Raiyats having no secure

tenancy rights were not in a position to refuse the orders of the tenureholders. Most of the district was under the control of intermediary tenureholders and there were no job opportunities available outside the agricultural sector. This was a compelling consideration in the mind of the raiyats. They were not able to secure the best possible terms and benefits for growing the commercial crops. It can be safely said that the tenurial arrangement brought into existence by permanent settlement deprived the peasants of the benefits of commercialisation of agriculture and thus discouraged them from undertaking any investment activity or making any efforts for increasing productivity. The growth of indigo and sugarcane (up to 1917) cultivation was not the result of any allocative efficiency of the peasants.

The growth of commercial crops in Champaran brought into existence a system of advances through which control over the production-process and the marketing of the produce was organised. The traditional suppliers of credit in the village, viz moneylenders and grain-idealers, did not have any important role to play in the production of poppy, indigo and sugarcane. The purpose of the advances given by the new credit group connected with trade or manufacturing organisations differed with that of the traditional credit-suppliers. The former had the sole purpose of securing the supply of the commercial crop from the peasant. It wanted to induce him to grow certain commercial crops. The traditional credit-suppliers in the village never interfered with the production-decision or organisation of the peasant. Their main aim was to earn interest and if possible to grab his holding.

In spite of the emergence of a new group of credit-suppliers, the existing production relations did not undergo any radical change but were strengthened. Assamiwar cultivation was as usual carried on by individual peasant families on their own holdings and they seldom increased the area under commercial crops by leasing in land from others. They had their own capital supplemented by the new credit group and implements to undertake the production of commercial crops. Generally they depended

on their own labour. They had to put the entire produce at the disposal of the new credit group. Had the existing tenurial arrangement not deprived the peasants of the full benefits of commercial crops and had they been free in their production-decisions, they would have become agricultural entrepreneurs thus leading to the transformation of production relations also. The rich peasants would have increased the area under commercial crops by leasing in lands from others and would have engaged wage-labour. This would have promoted largescale farming of commercial crops.

Zirat cultivation of indigo and sugarcane did represent a new type of production-organisation. European planters and later the sugar mills tried to carry out the production of indigo and sugarcane on their own with the help of wage-labour. However this did not have any significant impact on the existing production-organisation because zirat cultivation of commercial crops was very small and there were great difficulties in extending the area under it. The category of zirat farms comprised lands reserved by zamindars for their own cultivation and the holdings of the tenants who died heirless or deserted the village. These holdings created certain difficulties because they were usually small in size and seldom contiguous.

Commercial agriculture however broke the isolation of the peasants and linked them with the world market. Its impact was clearly seen in the case of indigo and poppy. Whenever the price of opium or the natural dye declined in the external market, there was a contraction in the area under them. Besides the growth of these commercial crops brought the peasant in touch with new implements.

As said earlier, had the zamindars of Champaran taken an active part in the management of their zamindaris and implemented the patta regulations as stipulated by the framers of permanent settlement, the tenants would have got full benefits of commercial agriculture and they would have taken active interest in investment activity to increase the productivity of land. The nonimplementation of patta regulations was the result of two factors. The framers of permanent settlement had not defined the

rights of tenants in unambiguous terms nor did they make arrangements to protect them. In fact the government, because of the permanent limitation of its revenue demand, did not wish to involve itself in regulating raiyat-zamindar relations which might have meant extra expenditure. The framers of permanent settlement had thought that patta regulations along with zamindars' eagerness to keep the raiyats satisfied in their own interest would ensure the protection of raiyats.

In Champaran patta regulations were not implemented because zamindars and intermediary tenureholders did not like to place limitation on their rental demand and raiyats did not have the capacity and necessary documentary evidence to go to the court to demand pattas. In view of the demand for land becoming more and more intense, there was nothing to force the zamindar or his tenure-holder to stick to existing raiyats if they failed to meet the increased rental demand of the zamindar or tenure-holders.

Thus the intention of the framers of permanent settlement to give extensive rights to raiyats, to secure to them fixity of tenure as well as rent could not be realised in practice. Whatever rights were given could not accrue to them in reality because the mechanism through which they were to be secured failed. For example the failure of the patwari system resulted in the lack of authentic and reliable record of rights and rent-rolls. Consequently raiyats failed to have any documentary evidence to prove their occupancy and the actual amount of rent payable by them or paid by them. Raiyats could not resist the enhancement of rent and the realisation of abwab by zamindars and intermediary tenureholders because of the insecure nature of their tenancies. In this background the majority of the raiyats were reduced to tenants-at-will.

The enactment of the Bengal tenancy act of 1885 and the completion of survey and settlement operations during 1892-99 sought to counteract this tendency later.

In the earlier period law courts, which were supposed to play an important role in ensuring that the rights intended to be given to the raiyats actually accrued to them,

failed to do so. On the contrary they complicated the situation and negated most of the rights of the raiyats.

Champaran was a predominantly hindu district. Upper-caste hindus dominated the socioeconomic life of the district. They were zamindars, rent-collectors, clerks, priests, intermediary tenureholders, teachers, doctors and lawyers. During the last decade of the nineteenth century eight castes, viz brahmin, rajput, bhumihar, kayasth, ahir, koeri, kurmi and sheikh—which accounted for only 36.4 per cent of the population of the district—had 60 per cent of the occupied area under them.

As one moved down the social ladder one found the incidence of landlessness increasing and so also the number of agricultural labourers. The average size of holdings of the socially-advanced castes was bigger than the district average, others had their holdings below the subsistence level.

Throughout the period of permanent settement the cultivated area as the percentage of the total cadastrally-surveyed area of the district showed an upward trend. Only between 1899 and 1919 there occurred a slight decline on account of the acquisition of land for railways and canals. There was a movement of the population from other districts into Champaran and within Champaran itself the movement took place from the south to the north. This inter and intradistrict movement got a boost after the construction of railways and canals.

Throughout the period under discussion the percentage of the total population dependent on agriculture remained at 94 per cent. The low productivity of agriculture, uncertain monsoon, lack of protective irrigation facilities and heavy dependence on a single crop, viz rice—which accounted for more than 54 per cent of the net cropped area —made the population prone to famines. Thus the lack of diversification in the crop-pattern was an important factor causing famine.

Till the end of the nineteenth century neither the zamindars nor the government took any step for providing protective irrigation facilities. This was because of the per-

manent limitation of the revenue demand. When th government share in the total rental was falling, any increase in productivity of land or any protective irrigation leading to the increase in the price of land was not going to benefit the government. The government took the view that since the zamindars would be the main beneficiaries, it was their responsibility to provide irrigation facilities. In Champaran since the zamindars were absentee owners for all practical purposes, they never bothered about these problems. It has been mentioned that tenureholders also did not take any interest in these problems. Raiyats having no firm occupancy rights did not have any incentive to invest in wells and other minor irrigation works.

Whenever the famine came, the worst hit were agricultural labourers, small peasants and artisans. They suffered because of lack of employment opportunities. Artisans were confronted with lack of demand for their wares. Rich peasants and moneylenders more than made up their losses and with surplus foodgrains at their disposal could make money by selling them at higher prices. The burden of debt on the poorer section increased and landholdings changed hands through sale or mortgage from small and medium peasants to petty zamindars, rich tenants and moneylenders. The effect of a famine was felt even after it was over because of the resulting shortage of cattle and seed and because of its effect on the health of labourers. This was reflected in the decline in the net cropped area.

A famine in Champaran did not only mean a lack of purchasing power to buy foodgrains but also to a large extent death of foodgrains. Since Champaran in normal times was an exporter of foodgrains to the neighbouring districts, famine there meant sharp rise in prices allround and a tendency on the part of traders to export grains.

Zamindars and intermediary tenureholders remained totally indifferent to the suffering people during famine. They did not contribute in any significant way to relief works or funds. They ignored all appeals by the government for contributions and remission of rent.

Though the government came forward to help famine affected people, its policies and approach were defective.

It did not take steps to stop export of foodgrains from the district nor did it try to mop up the available grains and ration them on account of cost-consideration. Since this operation could not be undertaken without some subsidy, the government was not inclined to undertake it. Gradually the government approach changed and at one stage it imported foodgrains to be paid as wages. It also undertook the construction of canals and railways which reduced the danger of a scarcity situation developing into famine. The former reduced the dependence on the monsoon and increased the productivity of land while the latter made easier the movement of food-grains into the district from other parts of the country. Thus there was no famine in the district during this century.

The construction of canals and railways encouraged the extension of the area under cultivation. The latter boosted up the export trade in foodgrains. The construction of canals increased the area under aghani crops and the extent of double-cropping. Aghani paddy was substituted more and more for inferior crops and in some areas assured irrigation resulted in the complete cessation of inferior grains since there was no fear of the uncertainty of the monsoon. Canal-irrigation increased the per acre yield of paddy up to 125 per cent and since both the price of rice and the volume of its export were rising the peasants were better off. This was responsible to a great extent for the fall in the cultivation of inferior grains which were mostly rabi crops. Thus there was a decline in the area under rabi.

The first survey and settlement operations increased the share of occupancy raiyats in the total occupied area of the district to 83 per cent. This meant two things. First, most of the raiyats got de jure occupancy rights and, second, their increasing share and the decline in the area under bakasht malik and zirat of intermediary tenure-holders meant a tendency for land to pass from the possession of landlords into the hands of raiyats.

Though there was an increase in the area in the possession of under-raiyats between the two survey-settlement

operations, they did not account for any appreciable percentage in the total occupied area of the district. Under-raiyats generally came from lower hindu castes and were agricultural labourers attached to landlords. The rent from under-raiyats was realised mostly in kind. However in the case of occupancy raiyats the incidence of cash rent was increasing owing to the legal provision for commutation of produce-rent in cash-rent. Produce-rent was preferred by moneylenders who acted as landlords because this was a convenient way to increase the stock of food-grains at their disposal.

The three big landlords of the district generally opted for cash-rent because produce-rent created a number of administrative difficulties. Produce-rent was not easy to collect and there was ample scope for leakage at various levels. Moreover the system of produce-rent required an elaborate arrangement for supervision of harvesting and threshing and division of the produce besides storage and marketing facilities. All this meant higher cost of collection of rent. Produce-rent was preferred mostly by petty zamindars who could personally collect it and in the areas prone to diluvion.

Produce-rent could be determined in a number of ways. The landlords who personally supervised the harvesting and threshing of the crop opted for batai. These landlords were generally local people. Moneylenders and traders who were town-based and were also landlords preferred hunda system because under this the risk was borne entirely by the raiyat. Moreover there was no need for supervising because the landlord's share was fixed. As between the two systems the hunda system gave more incentive to the raiyat to increase production by making investment in seed, manure, etc., but both of them discouraged long-term investments because of the uncertainty about future.

The avarage rent-rate was lower in Champaran than in other neighbouring districts. This was because of the less intense demand for land. The density of population in Champaran was lower. Over time the average rate of rent

had a tendency to increase as a result of rising population, increasing price-level and higher productivity of land.

Both the raiyati rent and the thikadari rental were influenced by caste-considerations. Generally the upper-caste people were assessed at lower rates, in spite of the fact that there was no difference in the quality of soil or location of the plot.

Cash wages were less prevalent in Champaran. Almost 95 per cent of the agricultural labourers were paid in kind and they did not suffer any decline in their earnings when prices of foodgrains increased. The labourers who were paid in cash suffered a reduction in their earnings because their nominal wages failed to keep pace with rising prices. Nominal wages lagged behind the prices by 3 to 4 years.

During the period under discussion the subsistence holding of an average peasant family was about 4 acres and about 66 per cent of the holdings were sufficient for the subsistence of those cultivating them in 1899 while in 1951 only 16.9 per cent holdings yielded enough for the subsistence of those cultivating them. Thus the number of families who had to supplement their earnings from other sources increased and since job-opportunities in nonagricultural sector were not rising so as to lessen the pressure on land, those ousted from cultivation only swelled the number of agricultural labourers.

Throughout this period of permanent settlement the credit needs of the rural people were met by private agencies. Government and cooperative credit did not have any appreciable share in the total supply of credit. Besides the fact that the cooperative credit societies were small in number and the funds at their disposal were not enough, they were used by the moneylenders for furthering their own business. Moneylenders dominated the cooperative societies and utilised their funds for their own business.

The borrowings of agricultural labourers and small peasants were more for consumption purposes because their total earnings fell short of their needs. In the absence of institutional sources of credit the moneylenders could charge very high rates of interest which were generally

25 per cent and more. The moneylenders aimed at grabbing the holdings of the borrowers but because of legal difficulties they could not do so through sale. They preferred usufructuary mortgages. The role of moneylenders as suppliers of credit increased after the decline of poppy and indigo cultivation resulting in stoppage of advances for growing them. This was reflected in the increased dominance of moneylenders as transferees of occupancy holdings.

There were not many transfers of proprietary rights in Champaran. This was owing to the fact that three-fourths of the district was under three big zamindars which remained almost intact throughout the period of permanent settlement. However the number of such transfers as well as the price per acre increased over time on account of rising prices of agricultural products, higher productivity and increasing demand for land. Proprietary rights were demanded sot only because they afforded a profitable channel of investment but because they were thought to be a status symbol in society.

Throughout the period of permanent settlement the structure of the rural society did not alter in any significant way. A minority of zamindars and intermediary tenureholders were at the top while at the bottom were found vast number of occupancy raiyats, nonoccupancy raiyats, under-raiyats, agricultural labourers and artisans. However in course of time the proportion of the raiyats of various description and of agricultural labourers registered a sharp increase. It should be noted that with the increasing penetration of manufactured items such as cloth, salt, sugar, metal utensils, etc., some of the artisan castes like jolaha, nunia, kumbhar, etc. lost their old vocations and joined the ranks of agricultural labourers. In qualitative terms the characteristics of the socioeconomic structure of a typical village did not undergo much change.

Champaran witnessed long-drawn agrarian agitation throughout the nineteenth and the first half of the twentieth century. There were three phases in agrarian agitation. The first two phases were marked by peasant agita-

tion against indigo planters. During the first phase which lasted from around 1850 to 1900 the main issues were tinkathia, the realisation of abwab by planters, unremunerative price for indigo and higher rates for carts, and their servants.

During the second phase (1900-18) when the planters were trying to get rid of indigo cultivation because of declining demand and price in the world market, the main issues were the realisation of tawan, harja and sharahbeshi and rights in trees, hides, etc.

The third phase concerned mainly the Ramnagar raj and a few other zamindars besides the settlement of lands in the Bettiah raj. The issues involved in the dispute with the Ramnagar raj concerned the preservation of certain customary rights of peasants, which the zamindar tried to take away in order to augment his income.

The agrarian agitation in all the three phases had their roots in the tenurial relations arising from permanent settlement. Absentee zamindars involved in heavy debt attracted planters as intermediary tenureholders who utilised the existing tenurial arrangement to extend the area under assamiwar indigo to maximise their profits. This involved restrictions on peasants' freedom of enterprise. Planters used semifeudal compulsions for promoting indigo production.

During all these phases the peasants showed a remarkable sense of unity and cohesion. Even in a backward district like Champaran where literacy and educational levels were among the lowest in Bihar, the peasants did form sort of a local organisation without any external guidance during the first phase and in defence of their economic interests they united setting aside caste and religious differences.

The local leadership of agrarian agitation during all the three phases comprised lawyers, moneylenders, rich peasants, former Indian intermediary tenureholders and traders whose interests were jeopardised by the European indigo planters who had a dominating role in the rural areas. Moreover an examination of the character of the

leadership and the demands of the agitators leads one to conclude that the agitation was not aimed at altering the existing agrarian structure but at doing away with the use of noneconomic levers by indigo planters to force the peasants to grow indigo or stop growing indigo on the former's terms and conditions.

During the third phase the agitators wanted to stop the Ramnagar zamindar from taking away their customary rights such as free grazing of cattle in the zamindar's forests or taking wood from them. At no stage there was any demand for the abolition of zamindari or settling the fallow land with landless agricultural labourers or granting occupancy rights to existing cultivators.

In one sense the agitation gave opportunities to the upper segment of rural society such as rich peasants, traders and moneylenders to assert their power.

As a result of agrarian agitation most of the local leaders amassed land at the expense of actual cultivators. This happened in Ramnagar and Bettiah zamindaris. In spite of instructions from the board of revenue to settle fallow lands with local people, the leaders belonging to distant places in the district and from other districts got the lands settled with them by exerting political and oher types of influence. Wherever the lands were already in cultivation, the actual cultivators were forcibly-evicted. To give only two examples, this happened in Sathi (Bettiah raj) and Churiharwa (Ramnagar raj).

So far as the colonial administration was concerned, it was by and large not neutral in the economic conflicts involving the interests of British planters. The planters were able to influence the administration in their favour as and when needed. However when peasant agitation became very intense, British authorities pressurised planters to grant concessions to peasants. They feared violent rebellions in the district in the absence of concessions. The conciliatory attitude of the administration towards peasant demands was seen in 1867-68 when a small-cause court was established, in 1869 when the price of indigo was raised and in 1917 when the government agreed to appoint an inquiry committee and make Gandhi one of its members.

Appendix One

GLOSSARY

Abwab: illegal cesses over and above the original rent
Amil: contract revenue collector
Amla: servant
Anthrope: orchard planted by a tenant on zamindar's land on the condition that half the fruit will belong to the zamindar
Assamiwar cultivation: cultivation through tenants
Assul Jama: principal rent
Bahali: valid
Bakasht: under own cultivation
Bandhbehari: embankment cess
Bandobast: settlement
Begar: forced labour
Bekh birt: maintenance grant of land
Benami: in the name of others
Bhadai: autumn crop
Bhowlee: dividing the harvest between the government or zamindar and the tenant
Bigha: a measure of land varying in extent in different parts of India. The standard bigha is fixed at 14,000 sq feet. In Champaran the bigha is larger and varies from area to area
Chakran: land allotted for the maintenance of public or private servants
Charsa mahal: fees levied from tanners
Cheena or china: an autumn crop (panicum miliaceum)
Dadani: advance money
Dal: pulses
Dassahara: cess levied on the occasion of dassahara festival
Dastoori: commission or percentage of the principal amount of payment
Deorhi mahal: private estate of a female member of zamindar's family
Diara: alluvial land
Dowat puja: cess realised from tenants on occasion of Chitragupta puja
Durbar: court
Farkhawan: perquisites of patwari



Published in 1930. Bihar Surveys.—Job no. 170—5000 Copies—Jan.'62.

Compiled & Zincographed in the B & O. Survey Office, Gulzarbagh.

Fasli Year: harvest year introduced by Akbar (to convert it into the Christian year add 593)
Gairmazrua: uncultivated land which includes common pasture land in the village
Ghatwali tenure: a grant of land to a person incharge of a pass in the mountains or of a landing place on a river
Goenra land: manured homestead plots of land
Harja: damage
Hissabana: cess charged from tenants for closing the accounts or issuing a no-dues certificate
Hunda: fixed quantity of produce
Istifa: resignation or surrender of tenancy
Jagir: land revenue assigned to military officers. Later on applied to assignments on account of services performed for the state
Jama: rent
Jamabandi: rent-roll
Kabuliyat: acceptance of the agreement
Kanungo: revenue official who kept records of land and revenue and supervised the work of patwaris
Katha: measure of land equal to one-twentieth of a bigha
Katkinadar: sub-tenure holder
Kham or khas: direct or own
Khatedar: opium agent in a village
Khatian: detailed record of each tenancy; record-of-rights
Khewat: abstracts of the record-of-rights of proprietors and tenure-holders
Khudkasht raiyat: resident tenant
Khuski: system of indigo cultivation under which the planter entered into an agreement with a peasant to supply a specified quantity of indigo on specific terms and conditions
Kurtauli: system of indigo-cultivation under which the planter took land from tenants on lease for growing indigo
Kusum: a flower yielding yellow dye
Lakhiraj land: rent or revenue free land
Mahajan: moneylender
Mukarrari: permanent tenure
Mukarraridar: permanent tenureholder
Nij cultivation: own cultivation
Paikasht raiyat: nonresident tenant
Painkharcha: cess levied on the pretext of providing irrigation facilities
Punch: arbitrator
Pargana: revenue and administrative unit comprising a group of villages and forming a small subdivision of the district
Patni: intermediary tenure

Patta: document containing details about tenancy
Patwari: village accountant and revenue official
Phagua: cess levied on the occasion of Holi festival
Raiyat: tenant
Raj: zamindari estate
Sair: customs, tolls, duties on merchandise, etc.
Salami: presents
Sanad: written authority
Sarkari: belonging to government
Satta: agreement
Sharahbeshi: rent-enhancement
Shikmi: sharecropping
Tappa: revenue division comprising a number of villages, a number of tappas constituted a pargana
Tawan: payment of compensation for damages or loss
Thakbast survey: the survey to settle the boundaries of estates and make maps to show the demarcated boundaries
Thana: police station or the area under it
Thika: temporary intermediary tenure
Thikadar: A temporary tenureholder
Tikulia property: property belonging to the women-folk of a zamindar's family
Tinkathia: the system of indigo-cultivation under which a peasant had to devote 3/20ths of his total landholdings (or 3 kathas per bigha) to indigo
Zirat: direct cultivation

Appendix Two

BIBLIOGRAPHY

A Note on Sources

Sources for the reconstruction of the agrarian history of Champaran—a district under the permanent settlement—are divided into two categories, viz. the primary and the secondary sources. The primary sources are further divided into two subcategories: (a) unpublished and (b) published.

The unpublished primary sources include the proceedings of various departments of government of India, government of Bengal, government of Bihar and Orissa, government of Bihar, proceedings of Champaran agrarian enquiry committee, 1917, Motihari collectorate records, board of revenue records and the Bettiah raj records.

In no permanently settled district was there any regular government agency for collection of statistics and maintenance of records. The attempts of the government to maintain patwaris and kanungos did not succeed.

The small zamindars whose number came to more than 1500 did not maintain records in any systematic manner. Whatever records they had, have been either discarded or hidden after the abolition of the zamindari.

The zamindars of Bettiah, Ramnagar and Madhuban did maintain the records for the villages under their kham management but unfortunately the Ramnagar and Madhuban zamindars have not cared to preserve them after the abolition of zamindari. Most of the nineteenth century records are not traceable.

As already said in chapter two almost the entire management of the three big zamindaris was in the hands of the intermediary tenure-holders who did not care to maintain the zamindari papers and other revenue records and even when they did maintain them, they never supplied them to the government or the zamindar concerned.

The biggest of all the zamindaris in Champaran—the Bettiah raj—came to the court of wards in 1897 and since then it has been under its charge. A large number of records pertaining to the period after 1897 are available in the board of revenue records room at

Patna. Whatever records are available at Bettiah are very difficult to handle because they are neither serially arranged nor are they catalogued. Besides the Bettiah raj has submitted a large number of valuable records to various courts in Bihar and U.P. in connection with civil suits arising after the death of Maharani Janaki Kuer on the issue of succession. These cases may take anything between 15 to 20 years to be disposed off. However within these limitations efforts have been made to consult as many papers relating to the Bettiah raj as possible.

Thus the reliance has been mainly on the records in the possession of the government at different levels. Among them the proceedings of government of India do not give much quantitative information about Champaran. Whatever data were gathered by the government of India were in connection with political administration, famine relief administration and some other problems. The information is valuable but mainly descriptive and there is no continuity.

The proceedings of the provincial governments, the board of revenue and the district records do not provide much information for the period prior to 1858. One reason for this may be the fire in the Chapra collectorate during 1850s which destroyed most of the papers kept there. For the period after 1858 they provide information about government revenue, number of different categories of estates, land revenue, commercial agriculture, population, condition of the people, agrarian agitations and the management of the three big zamindaris. However there is no continuity in the information available and no time-series analysis can be undertaken. Practically very little is available as regards total area under cultivation, crop-pattern, cost of cultivation, income and consumption pattern of various sections of the rural society, productivity of land and the number of various categories of tenants over a period of time.

Among the published primary sources the most valuable ones are *Census Reports, Stevenson-Moore's Final Report on the Survey and Settlement Operations in the Champaran District* (1892-99), *Final Report on the Survey and Settlement Operations (Revision) in the District of Champaran* (1913-19), the different aditions of the district gazetteer, Hunter's *A Statistical Account of Bengal,* Vol. XIII, reports of the opium department. papers relating to Bengal tenancy act, 1885, reports of the court of wards, *Select Documents on Mahatma Gandhi's Movement in Champaran* (1917-18) compiled by B. B. Misra and M. L. Basu's *A Consecutive Account of the Bettiah Estate.*

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The Searchlight.
Journal of Bihar and Orissa Research Society.
Pratap.
Statesman.
Mankind

Appendix Three

DIFFERENT TYPES OF ESTATES IN CHAMPARAN

1880-81 to 1947-48

Year	*Permanently-settled estates*	*Temporarily-settled estates*	*Government estates*	*Total*
(1)	*(2)*	*(3)*	*(4)*	*(5)*
1870-71	NA	NA	NA	879
1880-81	1021	6	1	1028
1881-82	1030	6	1	1037
1883-84	1052	6	1	1059
1884-85	1060	6	1	1067
1885-86	1068	6	1	1075
1886-87	1070	6	1	1077
1887-88	1094	6	1	1101
1888-89	1094	6	1	1101
1889-90	1105	6	1	1112
1890-91	1127	6	1	1134
1891-92	1171	8	—	1179
1892-93	1182	8	—	1190
1893-94	1189	8	—	1197
1894-95	1189	8	—	1197
1895-96	1205	8	—	1213
1896-97	1222	8	—	1230
1897-98	1222	8	—	1230
1898-99	1222	8	—	1230
1899-1900	1232	8	—	1240
1900-01	1232	8	—	1240
1901-02	1236	6	2	1244
1902-03	1240	5	2	1247
1903-04	1240	5	2	1247
1904-05	1245	5	2	1252
1905-06	1254	5	2	1261
1906-07	1261	5	1	1267
1907-08	1263	6	—	1269

(1)	(2)	(3)	(4)	(5)
1308-09	1263	6	—	1269
1309-10	1265	6	—	1271
1310-11	1274	6	—	1280
1311-12	1295	6	—	1301
1312-13	1305	7	—	1312
1313-14	1317	7	—	1324
1314-15	1329	7	—	1336
1315-16	1337	7	—	1344
1316-17	1346	6	1	1356
1329-30	1449	6	3	1458
1340-41	1514	NA	NA	1523
1341-42	1542	NA	NA	1555

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Appendix Four

LIST OF IMPORTANT AGRARIAN LAWS APPLICABLE TO CHAMPARAN

Bengal Regulations

The Bengal permanent settlement regulations, 1793 (Bengal regulation 1 of 1793).

The Bengal land revenue regulation, 1793 (Bengal regulation 2 of 1793).

The Bengal decennial settlement regulation, 1793 (Bengal regulation 8 of 1793).

The Bengal inheritance regulations, 1793 (Bengal regulation 11 of 1793).

The Bengal revenue-free lands (nonbadshahi grants) regulation, 1793 (Bengal regulation 19 of 1793).

The Bengal revenue-free lands (badshahi grants) regulation, 1973 (Bengal regulation 37 of 1793).

The Bengal revenue officers regulation, 1794 (Bengal regulation 3 of 1794).

The Bengal revenue-free lands regulation, 1800 (Bengal regulation 8 of 1800).

The Bengal inheritance regulation, 1800 (Bengal regulation 10 of 1800).

The Bengal land revenue assessment regulation, 1801 (Bengal regulation 1 of 1801).

The Bengal land revenue sales regulation, 1812 (Bengal regulation 5 of 1812)

The Bengal leases and land revenue regulation, 1812 (Bengal regulation 18 of 1812).

The Bengal kanungos regulation, 1816 (Bengal regulation 5 of 1816).

The Bengal patwaris regulation, 1817 (Bengal regulation 12 of 1817).

The Bengal kanungos and patwaris regulation, 1819 (Bengal regulation 1 of 1819).

The Bengal land revenue assessment (resumed lands) regulation, 1819 (Bengal regulation 2 of 1819).

The Bengal land revenue (assistant collectors) regulation, 1821 (Bengal regulation 3 of 1821).

The Bengal land revenue settlement regulation 1822 (Bengal regulation 7 of 1822).

The Bengal government indemnity regulation, 1822 (Bengal regulation 11 of 1822).
The Bengal land revenue settlement regulation, 1825 (Bengal regulation 9 of 1825).
The Bengal land revenue settlement regulation, 1825 (Bengal regulation 13 of 1825).
The Bengal revenue-free lands regulation, 1825 (Bengal regulation 14 of 1825).
The Bengal attached estates management regulation, 1827 (Bengal regulation 5 of 1827).
The Bengal land revenue assessment (resumed lands) regulation, 1828 (Bengal regulation 3 of 1828).
The Bengal land revenue settlement regulation, 1828 (Bengal regulation 4 of 1828).
The Bengal revenue commissioners regulation, 1829 (Bengal regulation 1 of 1829).
The Bengal land revenue (settlement and deputy collectors) regulation, 1833 (Bengal regulation 9 of 1833).

Bengal Acts

The Bengal land revenue resumption act, 1862 (Bengal act 7 of 1862).
The Bengal rent recovery (undertenures) act, 1865 (Bengal act 8 of 1865).
The Bengal rent (appeals) act, 1867 (Bengal act 4 of 1867).
The Bengal land revenue settlement act, 1868 (Bengal act 3 of 1868).
The Bengal land revenue sales act, 1868 (Bengal act 7 of 1868).
The Bengal rent settlement act, 1879 (Bengal act 8 of 1879).
The cess act, 1880 (Bengal act 9 of 1880).
The Bengal survey act, 1875.
The court of wards act, 1879 (Bengal act 9 of 1879).
The Bengal public demands recovery act, 1895 (Bengal act 1 of 1895).
The land registration act, 1876 (Bengal act 7 of 1876).
The land records maintenance act, 1895 (Bengal act 3 of 1895).
The estates partition act, 1897 (Bengal act 5 of 1897).
The Bengal settled estates act, 1904 (Bengal act of 1904).

Bihar and Orissa Acts

The Bihar and Orissa board of revenue act, 1913 (Bihar and Orissa act 1 of 1913).
The Bihar and Orissa public demands recovery act, 1914 (Bihar and Orissa act 4 of 1914).
The Champaran agrarian act, 1918 (Bihar and Orissa act 1 of 1918) (amended by Bihar act 10 of 1938).

The Bihar and Orissa Kamiauti agreements act, 1920 (Bihar and Orissa act of 1920).

Bihar Acts

The Bihar famine relief fund act (1936)
The Bihar sugar factories control act, 1937 (Bihar act 7 of 1937).
The Bihar moneylenders act, 1938 (Bihar act 3 of 1938).
The Bihar restoration of bakasht lands and reduction of arrears of rent act, 1938 (Bihar act 9 of 1938).
The Bihar moneylenders (regulation of transactions) act, 1939 (Bihar act 7 of 1939).
The Bihar refund of cess act, 1940 (Bihar act 7 of 1940).
The Bihar agricultural statistics act 1946 (Bihar act 1 of 1946).
The Bihar bakasht disputes settlement act, 1947 (Bihar act 13 of 1947).
The Bihar agricultural income tax act, 1948 (Bihar act 32 of 1948).
The Bihar abolition of zamindari act, 1949 (Bihar act 18 of 1949).
The Bihar state management of estates and tenures act, 1949 (Bihar act 21 of 1949).
The Bihar land reforms act, 1950 (Bihar act 30 of 1950).
The Bihar rent (commutation) proceedings validating act, 1950 (Bihar act 23 of 1950).
The Bihar land encroachment act, 1950 (Bihar act 31 of 1950).
The Bihar continuance of certificate proceedings and indemnity (state management of estates and tenures) act, 1950 (Bihar act 32 of 1950).
The Sathi land restoration act, 1950 (Bihar act 34 of 1950).

British Acts

The unlawful attachment act, 1331—5 Edw. 3, C9.
The noncondemnation without due process act, 1354—28 Edw. 3, C3.
The grantees of reversion act, 1540—Hen. 8, C34.

Central Acts

The property in land act, 1837 (central act 4 of 1837).
The agricultural produce cess act 1840 (central act 27 of 1840).
The Bengal land revenue sales act, 1841 (central act 12 of 1841).
The Bengal alluvion and diluvion act, 1847 (central act 9 of 1847).
The Bengal landholders' attendance act, 1848 (central act 20 of 1848).
The Bengal board of revenue act, 1850 (central act 44 of 1850).

The landholders' public charges and duties act, 1853 (central act 2 of 1853).

The rent recovery act, 1853 (central act 6 of 1853).

The Bengal alluvion land settlement act, 1858 (central act 31 of 1858).

The Bengal rent act (act 10 of 1859).

The Bengal land revenue sales act, 1859 (central act 11 of 1859).

The Bengal tenancy act, 1885 (central act 8 of 1885).

The revenue recovery act, 1890 (central act 1 of 1890).

The land acquisition act, 1894 (central act 1 of 1894).

The small cause courts (attachment of immovable property) act, 1926 (central act 1 of 1926).

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